

# Hawaiian Gazette.

VOL XXXVIII, No. 67.

HONOLULU, H. T., TUESDAY,

AUGUST 18, 1903—SEMI-WEEKLY.

WHOLE NO. 2513.

## BOOTH PLEADS PAUOA WATER HAS NO VALUE

His Attempt to Get \$250,000 From  
Legislature Was an "Error  
of Judgment."

Charles W. Booth appeared before the Tax Appeal Court yesterday morning to fight against paying any taxes on the amount of \$120,785 valuation of really. He returned his real estate at \$10,455 and Assessor J. W. Pratt raised the assessment to \$131,210. Of this increase \$100,000 represented a two-third interest in the Pauoa water rights. It will be remembered that Mr. Booth, through the Legislature, tried to sell these water rights to the Territory of Hawaii for \$250,000, that the Legislature after a strong fight voted \$150,000 for such purchase and that, but for the veto of Governor Dole, the transaction would have been consummated.

Before the Tax Appeal Court, by the mouth of his attorney, Mr. Booth pleaded total exemption from taxes of this realty asset, so highly valued when he wanted to sell it to the Territory, on the following general grounds:

1. He had returned the land containing the water for all it was worth.  
2. The water had no value whatever without the land.

3. He had made an "error of judgment" in asking the Legislature "a large price" for the water—his counsel's actual words being here quoted.

4. Members of legislative committees who investigated the water sources offered by him for sale to the Territory were not supposed to know anything about the subjects of their investigation.

5. The records of the Legislature were not evidence, but members of committees that reported on the Pauoa Water Proposition ought to be examined by the court individually under oath.

6. An assessment based upon a value set by the Legislature was absurd and without parallel even by analogy. It was the same as if a plaintiff who sued for \$150,000 attempted to enforce judgment following a verdict in his favor against a defendant after the Supreme Court had set the verdict aside. In this case the Legislature represented a jury, while Governor Dole's veto was the correlative of decision of the United States Supreme Court.

7. The attempt to make Mr. Booth pay taxes on these water rights, on the ground that he had offered them to the Government for \$150,000, was tantamount to prosecuting him for the "intent to commit an offense," which his counsel contended was something unknown to jurisprudence.

J. Alfred Magooen appeared as counsel for the appellant, who was present in person. Mr. Booth listened, without change of demeanor in muscle or tint, while his attorney pleaded "virtually that his valuation of the property to

the Legislature was utterly false and fraudulent and being such should not have been made a basis for assessment.

There were technical points raised by the appellant besides those enumerated above, such as that of discrimination against him among other taxpayers, the improper segregation of an appearance of land, etc.

Arthur Wilder, for the assessor, produced a decision of the Supreme Court against these technicalities. Mr. Magooen denied that certain of the cases quoted applied, and unreservedly denounced the Supreme Court decision on the Pacific Heights case as unsound and unjust.

No evidence was admitted on the water rights item. Mr. Wilder promptly objected that the taxpayer had no appeal on this item, he having made no return of the property. The fight was therefore entirely one of law points between counsel.

"If I did not know Major Pratt," Mr. Magooen said, in beginning his reply to Mr. Wilder, "I should say that this assessment of \$100,000 was an outrage, one of the greatest frauds ever attempted to be perpetrated and nothing but an exhibition of spite toward Mr. Booth."

When he had been speaking for some time, Chairman Winston intervened to say that it was past 12 o'clock and the hearing should be continued until Monday morning. The chairman added that fine points of law seemed to be involved and, speaking for himself, he said the court would like to take some advice on the matter.

Mr. Magooen strongly protested against the court's going outside of itself for advice. Its members were sworn to do their duty, which was that of passing their own judgment upon the questions submitted to them. Who ever heard of the Supreme Court or the Circuit Court asking advice?

Mr. Booth had engaged Will E. Fisher as an expert witness on real estate valuations, who prior to the hearing on the water item gave evidence on the strength of a visit he paid, on the previous day, to the lands representing the remaining \$10,360 on which appeal was taken.

Mr. Fisher testified with regard to a parcel of forty-eight acres, assessed at \$900, that it was almost perpendicular in topography and had standing ground not much larger than the assessor's private office where the court sat. As to water rights on any of those lots the witness knew nothing. At the first question asked on the water item itself, the objection stated was raised and sustained by Chairman Winston.

The other members of the court are A. J. Campbell and S. K. Ka-ne.

### (ASSOCIATED PRESS CABLEGRAMS.)

PANAMA, Colombia, August 17.—The rejection of the Panama Canal Treaty by Colombia has created a national sensation. The Senate of Colombia regarded the Spooner Amendment to the treaty, which provided that in case Colombia should fail to ratify, negotiations should then go forward for building the canal by the Nicaraguan route, as a mere threat. Capital suffers heavily because of this action as great investments had been made in Colombia on the expectation of the canal being built. Rumors that the ratification of the treaty would mean a cession of territory to the United States and an encroachment on Colombian sovereignty are said to have been the reason for the rejection of the treaty by Colombia.

SOFIA, Bulgaria, August 17.—Two divisions of the Bulgarian army reserves have been called up for active service. This action is explained by the statement that they are called out now for customary training but it is believed to have some bearing on the present strained Balkan conditions.

CANTON, China, August 17.—The riots which broke out here some time ago, having for their object a campaign against the railroad builders, are spreading in the towns along the new railroad. American engineers have been fired upon.

KANSAS CITY, Kansas, August 17.—The Kaw River is now at the highest point it has been since the great flood of June and is still rising. Temporary bridges, built to replace those destroyed in the first flood, have been swept away.

ROME, August 17.—Pope Pius has made a gift of \$20,000 for distribution among the poor of Rome.

## FINE AND DISCHARGE

### The Court Martial of Sergeant Miller.

The regimental court martial which heard the charges against Sergeant James H. Miller has found him guilty of breaking his furlough and sentenced him to pay a fine of ten dollars and to be dishonorably discharged. Col. Jones has approved the sentence and it was published yesterday as follows:

#### GENERAL ORDERS NO. 52.

A regimental court martial having found Sergeant James H. Miller, "C" 1st Regt. N. G. H., guilty of breaking furlough or leave in violation of Section 28 of the Special Session Laws of 1898, and having sentenced him to pay a fine of Ten Dollars (\$10.00) and be dishonorably discharged from the service; the sentence of the Court is approved.

By order of Col. Jones,

JOHN SCHAEFER,  
Captain and Adjutant.

Miller is the man who said he was too busy in the postoffice to attend to duties at the camp, and during his hearing also undertook to give the members of the court some points on how to hold court-martial.

He hasn't paid his fine as yet.

#### CAMP INSTRUCTIONS FOR THE GUARD.

National Guardsmen are to receive instructions in regular army tactics during the next six months. The following order was published yesterday:

#### General Orders No. 51.

From the date hereof to December 21, 1903, instructions will be had twice each month in the exercises indicated in the following sections of the U. S. Infantry Drill Regulations, Manual of Guard Duty and Small Arms Firing Regulations.

1. For the period between August 15th, 1903 and September 30th, 1903.

a. Signals, Drill Regulations, page 7.

b. School of the Soldier, Drill Regulations, Sections 10 to 48, and Sections 114 to 178 including new manual of arms (see appendix).

c. Estimating distances (C. O. No. 29, 1903, Part I, Sections 1 to 5).

d. School of the Company, Drill Regulations, Sections 179 to 248.

II. For the period between Sept. 30, 1903, and December 21, 1903.

a. Guard Mounting Drill Regulations, Sections 712 to 728.

b. Manual of Guard Duty, Sections 92 to 183 and 205 to 295.

c. Extended Order, Drill Regulations, Sections 502 to 592.

By order of Col. Jones:

JOHN SCHAEFER,  
Captain and Adjutant.

#### NEW OFFICIAL LIST.

The following order relating to recent elections has also been published:

#### General Orders No. 12.

It is announced for the information of the National Guard of Hawaii, that the following officers have been elected and commissioned to serve in the National Guard of Hawaii, for the term of four years:

John H. Soper, to be Adjutant General, with the rank of Colonel, from August 7th, 1903.

Chas. B. Cooper, to be Surgeon Colonel, with rank of Lieutenant Colonel, from August 7th, 1903.

W. L. Moore, to be Corps Surgeon, with rank of Captain, from August 7th, 1903.

Archibald Sinclair, to be Corps Surgeon, with rank of Captain, from August 7th, 1903.

Samuel Johnson, to be Captain Co. "F" with rank from April 12th, 1903.

L. J. Nahoa Hipa, to be Captain Co. "E" with rank from Oct. 1st, 1900.

Gustave Rose to be Captain Co. "G" with rank from Jan. 7th, 1902.

James A. Thompson to be Captain Co. "H" with rank from March 18th, 1902.

James B. Gorman to be Captain Co. "B" with rank from Oct. 1st, 1900.

Thomas Kakaha, Second Lieut. Co. "E" with rank from Oct. 1st, 1900.

D. Kekauwile, Second Lieut. Co. "G" with rank from Jan. 7th, 1902.

Joseph E. Santos, First Lieut. Co. "G" with rank from Sept. 27th, 1902.

Alonso D. Wise, to be First Lieut. Co. "E" with rank from April 27th, 1902.

Lui Kane, to be First Lieut. Co. "H" with rank from May 26th, 1902.

John W. Cook to be First Lieut. Co. "D" with rank from May 27, 1902.

By order of the Commander-in-Chief:

JOHN H. SOPER.

#### PROMOTION FOR ELLIS.

General Orders No. 53.

The following promotion is hereby announced for the information of the National Guard of Hawaii:

William S. Ellis to be Chief Trampeter, 1st Regt. N. G. H., with rank from August 15th, 1903.

He will be obeyed and respected accordingly.

By order of Col. Jones:

JOHN SCHAEFER,  
Captain and Adjutant.

## MACFARLANE AND JAPAN

### Honolulu Party is Home From Tour.

Ex-Governor A. S. Cleghorn and Col. Geo. W. Macfarlane returned from the Korea yesterday from a three months' stay in the Orient. They visited Japan and China and both were surprised at the wonderful progress that has been made in those two countries recently. Governor Cleghorn and Col. Macfarlane were disappointed in the exhibits made by Hawaii at the Osaka Exposition and it was two days before Col. Cleghorn could locate the local display at all.

Col. Macfarlane was much impressed with the possibilities of Shanghai for the young man. He denied the report published in Japanese papers that either Gov. Cleghorn or himself intended to engage in the sugar business in Japan, and said yesterday that Hawaii had nothing to fear from Japan as a competitor in that industry. Mr. Macfarlane during his stay in the Orient was imbued with the idea that it was the place to get tourists for Hawaii rather than in the United States.

"I have been quietly looking into the subject of tourists while away," said he yesterday at the Hawaiian Hotel. "Naturally being in business here and especially in the hotel business, I am interested in that subject.

There is a tremendous number of tourists in Japan. The stores, the hotels and the streets are full of them, and this was the first thing that struck me on my arrival.

I looked into the extent of the tourist business there, and I found that last year, ending June 30th, there were over 17,000 tourist foreigners in Japan, and I learned from the president of the Yokohama Specie Bank, upon whom Governor Cleghorn and myself were calling, that careful statistics were kept of the number of tourists that came into Japan and also of the amount of money they expended. The president was well up on statistics of this kind and it was a revelation to me, to learn that over 15,000,000 yen or \$7,500,000 gold was spent by foreign tourists in Japan yearly. This is about one-third of the total value of all the sugar exported from these islands annually. I assume that the banks upon which money is drawn through letters of credit can approximate very closely the amount spent by these people. The average sum spent by each individual is \$75 which seems a little high, but not when we take into consideration the fact that the very wealthy class of tourists passes through there.

I also interviewed some of my friends connected with the steamship companies and these figures were corroborated.

EX-MINISTER  
R. W. IRWIN HERE

R. W. Irwin formerly minister for Hawaii to Japan is a thorough passenger on the Korea for San Francisco. He was appointed by Governor Dole also to represent Hawaii at the Osaka Exposition.

Mr. Irwin was the guest yesterday of F. M. Swanzy at the Pacific Club, and was greeted by many old time friends.

#### A NEW SLOT MACHINE.

The "slot" machine has entered a new field. For a long time, by dropping a penny in its maw, the gum chews, the man who likes to know what his exact avulordups is, the girl who loves a lozenge and even the quick-lunch man hurriedly seeking a sandwich have been accommodated. But the new field is a wider one. The diner in some restaurants can now, by a new invention in the "slot" line, rest at ease while he takes his meals and reads complacently between bites the religious mottoes on the wall, for before he sits down he can go to a box, drop a penny in a slot and out jumps a key from another slot. That key opens a closet ample enough for his hat and coat. The very hooks on which he hangs his clothes lock also so that even if the door of the closet were opened the articles cannot be hurried away with by anyone but the owner.

The Advertiser of last Sunday is quite "mahaoi" to call people by their maiden name. Oh! what gall! these people have.

If the Editor of the Star or the Editor of the Advertiser wishes to become influential they had better put on "petticoats."

Mrs. R. W. Wilcox thanks all those who so kindly donated towards her paper and she hopes that her paper will please them all.

Her Majesty Queen Liliuokalani is President of the Ahahui Ioana o na Wahine Hawaii and Princess Kalanianaole 1st Vice President.

If the Public wants good Government we must all pull together and pull for the shore heed not the rolling waves but pull for the shore.

Hon. H. E. Cooper was down to Koolau last Saturday to look around and see the necessities of that place. The Koolau people gave him a grand-reception and luau. "Sure kela."

## FIVE BILLION POUNDS OF SUGAR IMPORTED LAST YEAR

Hawaii and Porto Rico Furnished About One Fifth of the Total Used in United States. Some Very Interesting Statistics.

More than 5,000,000,000 pounds of sugar, valued at over \$100,000,000 were brought into the United States in the fiscal year just ended. This is a larger importation of sugar than at any preceding year in the history of the country and the value is greater than in any preceding year except the importations of 1891, 1893 and 1894. These figures include the sugar brought from Porto Rico and the Hawaiian Islands and while the figures of the shipments from Porto Rico and the Hawaiian Islands are not included in the official statement of imports, they are properly included in the statement to show the quantity of sugar coming into the United States. The total number of pounds of sugar brought into the United States during the year was, as shown by the records of the Department of Commerce and Labor through its bureau of statistics, 5,217,077,034, while in no earlier year in the history of the country has the importation of sugar ever reached 5,000,000,000 pounds.

#### FOR EACH INHABITANT 72 POUNDS.

The largest importation in any earlier year was that of 1897, when the total was 4,918,905,733 pounds. Adding to the enormous importation of 1903, 600,000,000 pounds as the domestic production, would give a total sugar supply of 5,817,000,000 pounds for the year, or sufficient to furnish an average of 72 pounds for each individual in the United States estimating the present population at 80,000,000.

The record of sugar importations for the year differs materially in certain aspects from that of earlier years. The total importation of beet sugar during the year was only 87,000,000 pounds against 255,000,000 in the fiscal year 1902 and 908,000,000 in the fiscal year 1901. Cane sugar, of course, composed the remainder, and the cane sugar importations of the fiscal year, exclusive of that brought from Porto Rico and the Hawaiian Islands, amounted to 4,075,000,0

# TANBARA DIED BELIEVING IN HIS SANCTITY

**Cool To the End Of The Gallows  
He Says He Is Glad To Have Saved Ohto.**

**Murderer of Captain Jacobsen Expresses Repentance--Given a Christian Burial From a Japanese Church.**

Tanbara Gisaburo was hanged at 12:31 o'clock yesterday for the murder of Captain Jorgen J. Jacobsen of the schooner "Fred J. Wood." Just before the noose was placed around his neck for a second time, the murderer confessed his guilt, saying he was glad he saved Ohto, the cook, and also that he had not testified truthfully at the trial.

Just as the noose was adjusted he said "Good-bye everybody," in quite good English. The drop was sprung just as the minister concluded his prayer with a final "Amen."

Tanbara was apparently without fear through the whole proceeding and was more composed than many in the audience. Tanbara spent a good morning. He was furnished with dainties by some of the Japanese residents of the city, and a little before the execution ate a hearty meal.

Just at the stroke of twelve, when the reprieve extended by President Roosevelt expired, United States Marshal Hendry began the reading of the death warrant. This included the formal judgment of the court, with the double passing of sentence, made necessary by the reprieve granted by Governor Dole. The sentence was interpreted to the prisoner by J. H. Hakule, who had acted as official interpreter during the trial.

#### 'NOTHING PARTICULAR.'

"Nothing in particular," said Tanbara in reply. "I want to say that the warden, Mr. Henry, has been very good to me." Then he was led from his cell by two native guards. He was dressed in black with a white stiff bosom shirt, and a high stand-up collar.

He walked onto the scaffold which was erected just outside the door in the prison court, with a firm tread. The Japanese minister, Mr. Motokawa, followed after the prison guards and Tanbara. As the murderer stepped to the center of the trap to have the straps adjusted, the minister smiled, as if Tanbara had said something which caused it.

#### ON THE GALLOWS.

Bands were adjusted about the prisoner's ankles, also just above his knees and at the shoulder. Two guards supported him for he probably would not have been able to stand alone, with the bands about his feet.

Then the black cap was placed over



THE MURDERED CAPTAIN JACOBSEN AND HIS FAMILY.



TANBARA, THE EXECUTED MURDERER.



OHTO. THE COOK.

the following statement in English, which he said had been prepared at the request of Tanbara:

"Since I came here Chief Jailor Henry extended me his kindness and I feel very grateful of it.

"I have no means to express my hearty thanks to him in this world, but I hope to see him in another world.

"I thank you gentlemen who helped me in every way, to this criminal.

"Since last December by the guidance of Rev. Mr. Motokawa I am in belief of Almighty God, Jesus Christ the Savior, resurrection and everlasting life. I am now ready to go to death in peace.

"Dearly I could accept this salvation through your kindness which you

extended to me to live longer in this world."

G. Tanbara expressed me his hearty thanks of spiritual consolation. But I am not able to translate it in this occasion.

#### WANTS COLLAR REMOVED.

Mr. Motokawa read a chapter from the bible and also offered prayer for the condemned man, while Tanbara stood stock still, the black cap still upon his head. As the noose was again adjusted, Tanbara asked that he be allowed to remove his collar, but the minister told him not to mind. Then the murderer tried to take his collar

(Continued on page 3.)

## MR. SCHNACK'S POLITICAL OBJECTIONS TO KALIHI CAMP

Editor Advertiser: It was in the belief that the Government was ignorant of existing political conditions in the Kalihi camp, and that it might lead to an investigation, resulting perhaps in its closing, that I addressed to you an article for publication on that subject a week or so ago, but nothing having been done to that end so far, the Government is evidently adverse to acting, though perhaps it may do so after the elections.

Why our administration should want to cater for the good will of a lot of Home Rulers. I fail to see, unless its Republican principles are a farce and a sham and running in the same channel with those of the Home Rule party.

As an excuse for its action or rather inaction, the Government claims to need the rentals, but are not the gains swallowed up for wages by the management of that institution, not by any means the best, and believed to be in thorough sympathy with the so-called Republican Home Rule party, which by its voting power governs the Fifth district and renders nil the votes of its bona-fide resident citizens?

If reports are true, and I have all reason to believe they are, the camp is a common gambling resort with very little claim to morality, the rendezvous of all sorts of shady characters, an institution that is an eye-sore to visitors, and so void of cleanliness and care that a general clean-up, unless very recently done, is an imperative necessity to forestall disease and epidemics.

And if an epidemic should find its way there, where would the Government quarantine its victims?

A number of people have accused me and based my opposition to the camp upon selfish motives, viz: that I have cottages, lodgings and rooms, etc., to let. Nothing of the kind. I am not a lodging-house keeper and have absolutely nothing in that line for that class of tenants. Others claim that I want to down the poor native; nothing more remote.

I am living in a district where the majority of the residents are Hawaiians, amongst whom I have many friends. I should have the same complaint if the camp population was composed of white or foreign instead of Hawaiian citizens.

My protest is based principally upon political grounds; that my rights and those of my co-residents of the Fifth District may not be ignored or jeopardized and infringed upon by outsiders, as was done during the last election, and will again be done now if existing conditions continue.

The object of this article is to justify my actions regarding the camp before the public, and to see that the rights of the Fifth District people are protected.

J. H. SCHNACK.

## WRIGHT'S EXCEPTIONS

**A Great Mass of Writings on Appeal.**

B. H. Wright's bill of exceptions to conviction and sentence for embezzlement was filed yesterday afternoon by J. J. Dunne of counsel for defendant. It is certified as correct by Attorney-General Andrews and Jno. W. Cathcart, the latter as special counsel for the Territory.

There are fifty-seven exceptions set forth, occupying seventy-eight type-written pages.

Judge De Bolt, in allowing the bill of exceptions, further orders that all records, etc., are expressly made a part thereof. A stipulation to the same effect by counsel on both sides is appended. The list of exhibits takes the alphabet from A to W, inclusive, for identification.

As for the exceptions, they refer to rulings of the court on evidence, etc., throughout the trial. The first is on the overruling of objection to James H. Boyd as a witness, and the second to the introduction of the commissions of chief clerk and clerk of market given by Boyd to Wright.

Five months have elapsed since the close of the trial and the noting of the final exception.

#### THE SPRECKELS CASE.

"Emma Claudia Spreckels Watson, by Abram Stephanus Humphreys, her attorney in fact," has filed the following warrant of attorney in the case of Emma Claudia Spreckels Watson vs. Claus Spreckels:

"I, Emma Claudia Spreckels Watson, plaintiff in the above entitled case, have retained and employed and do hereby retain and employ A. G. M. Robertson, and A. A. Wilder, and each of them severally, as my attorneys and counsel in said case, and agree to be bound by every pleading and stipulation which they may file or enter into therein."

Appended to the warrant are the original power of attorney of plaintiff and her husband, appointing Mr. Humphreys as their "true and lawful attorney in fact and at law," and the acknowledgment thereof by a notary public of the County of London. The latter document bears a dark blue seal of diamond shape, suspended from a loop of green tape reaching to the top of the paper. This gorgeous insignia of office will give local notaries a pointer on the London style.

#### GRAND JURORS.

The High Sheriff is commanded by First Judge J. T. De Bolt to summon the following named twenty-three men as grand jurors to appear before Second Judge George D. Gear at the September term of the Circuit Court of the First Circuit, on Tuesday the 8th day of September, at 9:30 o'clock a.m.:

William Legros, Robert K. Pahau, O. P. Emerson, F. J. Church, Thomas R. Mossman, William H. Crawford, Henry A. Giles, A. R. Blodt, William L. Peterson, Samuel Parker, Charles F. Herrick, Abraham Fernandez, John K. Inch, J. C. Wells, Charles Lake, H. S. Swinton, H. J. Mossman, W. L. Eaton, Charles Wilcox, Richard L. Gilliland, George J. Campbell, Ulysses H. Jones and Charles W. Booth.

#### JUDGE GEAR'S TRIAL JURY.

And the following named twenty-six men as trial jurors to appear before Judge Gear at the same time:

E. K. Rathburn, George Woolsey, August Dreier, S. B. Rose, Solomon Keolaewa, Lot P. Fernandez, James H. Boyd, David Kawananakoa, J. F. C. Abel, Carl Willing, Jesse P. Makaihau, James L. Aholo, Joseph K. Clark, A. Montano, George W. Rowan, A. Barnes, Robert A. McKeague, Charles Notley, John H. Wise, Theo. Wolf, W. C. Peacock, Lionel R. A. Hart, W. B. Thomas, Frank J. Robello, G. A. Ordway and J. S. Low.

#### JUDGE ROBINSON'S TRIAL JURY.

And the following named twenty-six men as trial jurors to appear before Third Judge W. J. Robinson at the same time:

Frank Godfrey, A. K. Ozawa, Henry F. Bertelmann, William F. Schmidt, H. A. Juen, John Markham, S. Mahelona, James E. Fullerton, John H. Taylor, John De Fries, John Enos, George W. Macy, J. Oswald Lutted, A. F. Franca, Charles Warren, Edward Hanapai, C. S. Holloway, W. W. Goodale, James Enright, Thomas Honan, Percy M. Pond, Richard N. Mossman, Louis H. Miranda, E. B. Mikalemi, East Kaluualii and William Ringer.

#### JUDGE DE BOLT'S TRIAL JURY.

And the following named twenty-six men to appear before First Judge De Bolt at the same time:

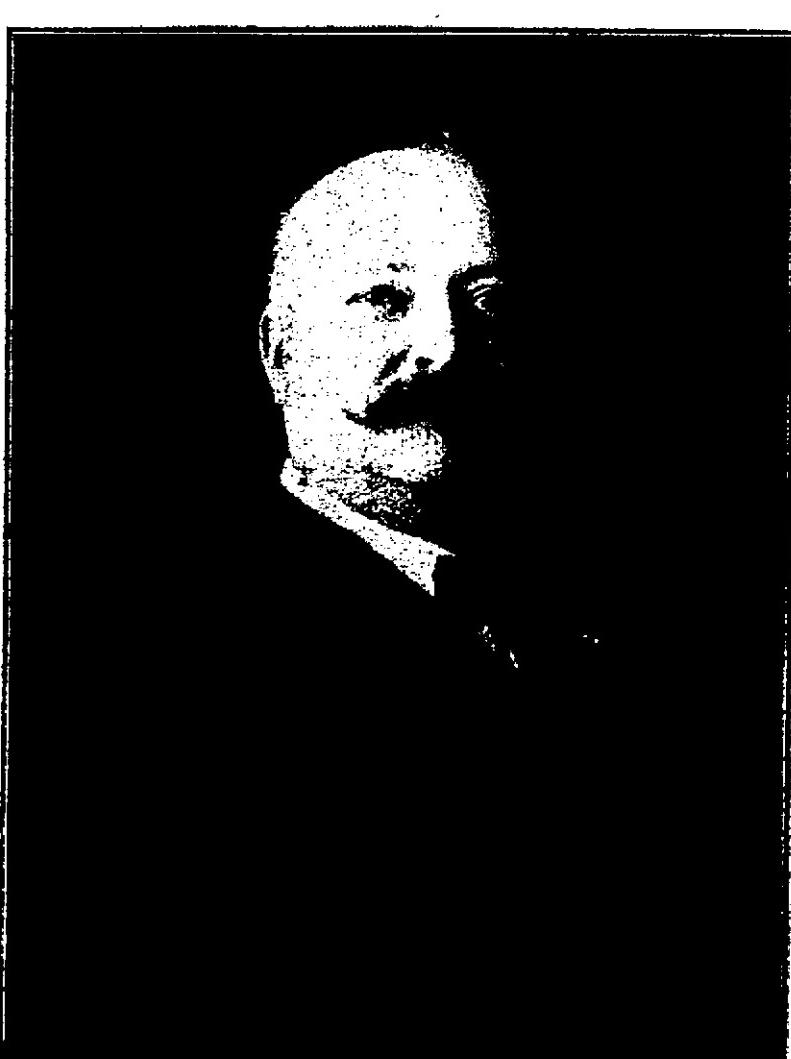
Charles B. Gray, Owen J. Holt, F. Rowland, Isaac Adams, J. W. Nakana, Milus W. Parkhurst, F. J. Testa, Lawrence H. Dee, W. J. Baird, L. Tobriner, Charles B. Dwight, E. E. Moosman, John Kuana, Benito Guerero, P. M. Lucas, Ernest Renkin, Edward C. Holstein, Louis L. Warren, J. H. Love, John K. Kamanolu, G. H. Karratti, F. B. Angus, Antonio Recard, James A. Auld, G. C. Potter and George Fern.

#### PROBATE MATTERS.

The accounts of Cecil Brown and H. Focke, trustees of the estate of James Gay, were referred by Judge De Bolt to P. D. Kellett, Jr., for a master's report thereon as soon as possible. W. O. Smith, administrator of the estate of Ethel P. N. Gay and guardian of the minor children of deceased, was present and stated that he had examined the accounts and was satisfied with their correctness.

Judge De Bolt approved the accounts

(Continued on Page 2.)



E. R. HENDRY, U. S. MARSHAL WHO CONDUCTED THE EXECUTION.

his head and the noose adjusted. Tanbara said something from under the cap. "He says wait a minute," the Japanese minister interpreted. There was a conference within the prison by the federal officials and then the guards were ordered to remove the black hood and noose. Then Tanbara asked for the bible from which the Rev. Mr. Motokawa was preparing to read, and said he would like to read a chapter. He read from St. Matthew's story of the crucifixion in Japanese, his voice still steady. The portion referring to the execution of the two thieves, the condemned man repeated several times with emphasis. In his reading of the bible he did not follow the text closely, stopping the narrative to tell about the murder. "I did not know then that it was wrong," said the Japanese, "but now I know my punishment is just, and I am prepared to die. I became a Christian in Japan when I was fourteen years of age and soon after that I shipped to Portland. In Portland my troubles commenced. If the captain on the vessel had treated me kindly then I would not be here now."

After he had handed the bible to the minister Tanbara continued, "I am glad I saved the life of the cook. When I was on the witness stand I told what was wrong, and I am glad now that the cook is not here. I had a fair judgment and all people were good to me. I want to thank you all and I repeat now. If I had been a Christian on December 26th I would have repented then. I did not know Christ then. I hope all my Japanese friends will also know Christ."

#### A LAST STATEMENT.

Then Tanbara handed the bible back to Mr. Motokawa and the latter read

My protest is based principally upon political grounds; that my rights and those of my co-residents of the Fifth District may not be ignored or jeopardized and infringed upon by outsiders, as was done during the last election, and will again be done now if existing conditions continue.

The object of this article is to justify my actions regarding the camp before the public, and to see that the rights of the Fifth District people are protected.

J. H. SCHNACK.

# GEAR FAMILY'S GRAFT ON THE CAMPBELL ESTATE

## H. L. Gear Appointed By San Jose Court Attorney For the Minor Heirs.

(ASSOCIATED PRESS CABLEGRAMS)

SAN JOSE, Aug. 14.—The Superior Court has appointed H. L. Gear, attorney for the minor daughters of the late James Campbell of Honolulu. He will appeal from the order of distribution of the estate in California, which is the first step towards breaking the trust will.

## AN AUSTRALIAN CLERGYMAN LECTURES ON HONOLULU.

The Adelaide Register of a recent date says:

On Monday evening the Rev. J. C. Kirby gave an interesting chat at the Port Adelaide Congregational Young Men's Hall on the ethical, industrial, political, and strategic conditions of Honolulu and Hawaii. Mr. J. W. Cairns presided over a fair attendance. The lecturer prefaced his remarks by describing graphically the City of Honolulu, with its 45,000 inhabitants, its fine stone buildings, splendid architectural wooden residences, electric light, and telephone system. Honolulu was, he said, a life part of the world, and not a little outside post on the confines of civilization. The islands of Hawaii were connected by the Marconi system of wireless telegraphy. The Hawaiians were of the same race as the Maoris, but differed from the latter, inasmuch as they depised work. Consequently the Americans had been compelled to import laborers, and there were in the islands 30,000 Chinese, 60,000 Japanese—a considerable portion of whom are women—Gilbert Islanders, Costa Ricans, and other natives. In addition there were about 15,000 Portuguese employed in the production of sugar. They stood the climate and suffered the inconvenience of passing through the sugar plantations as well as the Chinese and Japanese. Ethnically, therefore, the people were mixed, and some curious results had been obtained as the result of the American law, which provided that all children attending school must learn and speak the English language. Children of the Japanese, Chinese, Portuguese, and other nationalities were to be seen every morning at the schools honoring the flag, and singing "My country 'tis of thee." Hawaii was divided by a mountain range, on one side of which the average rainfall was 100 in., and on the other, where the cultivated land was situated, it averaged from 28 to 30 inches. That part of the country was also supplied with immense quantities of water by sinking some 30 ft., and irrigation was carried on most extensively. The Japanese, Chinese, and Portuguese, who were employed on the sugar plantations received 16s. per week as wages, a four-roomed house, free medical attendance, and each had a considerable space of land given him, upon which he was at liberty to grow his own provisions. These conditions enabled the people to save money—most of them put 12s. per week in the Savings Bank—and gain more than a comfortable competence. The Portuguese could grow sugar in Hawaii, and they could do so in Queensland. He did not discover among the planters any desire to employ workmen of the modern European countries. The Portuguese were easy to manage, and not ready to strike just when the cane was ready for cutting. Hawaii exported in 1902, 350,000 tons of sugar, refined to a certain point, to San Francisco, and the total could easily be increased to a million tons per annum. The labor difficulty, however, was the stumbling block. The further settlement of outside colored races was prohibited by the laws of America, but the sugar planters were hopeful of being able to recruit negroes from the southern states of America. There was a proposal now afoot to send for 10,000 of them. Machinery was another factor in overcoming the labor problem. The growers utilized the steamplough, and they had an idea of introducing electricity for cutting the cane. The Ewa Plantation, considered to be the most perfect in the world, put 35,000 tons through its crushing mills in 1901, an average yield of 10 1-2 tons per acre. This result was achieved by great and intense irrigation. So perfect was the system of cultivation that Hawaii was now sending men to Cuba, which had been growing sugar for 300 years, to teach the planters there proper methods. The irrigation at Ewa cost \$37 per acre, and the total cost of producing sugar per ton was about \$35, and the grower received \$55 per ton before the sugar was removed from the plantation. Fuel oil was fast taking the place of coal for driving the machinery, and labor was saved thereby, while experiments were being conducted with the refuse from the sugar cane as a material for the manufacture of paper. The strategic position of Hawaii, situated as it was in the midst of the Pacific, with America on one side and China on the other, was of immense importance. Honolulu was a splendid port, and the Americans were making it the Gibraltar of the Pacific. They were laying out immense sums of money in forming a centre and site of military power, and they were building a dock capable of taking a ship of 20,000 tons.

## CARDINAL'S HAT EXPENSIVE.

The cardinal's red hat is perhaps the most expensive sort of headgear. The fees, presents and incidental expenses which a new cardinal has to pay are even heavier than those in which English peers are nubbed on their entering the house of lords.

Immediately after the secret consistory in which the pope announces the names of the new cardinals, an employee of the apostolic chancery is dispatched to the residence of those who live in Rome, and on presenting the brief of nomination he receives a gift of \$600. Another fee of \$60 has to be paid for the first time the new cardinal crosses the bridge of St. Angelo in his carriage to thank the pope for his elevation to the purple.

Perhaps the least agreeable of all these fees is one of \$600 which every new cardinal has to pay to the Vatican administration as a deposit to cover the expenses of his funeral. When Cardinal Ledochowski, prefect of the propaganda, died last July he had not paid that fee, which he considered arbitrary and unjust, so his heir had to pay the money to avoid a conflict with the Vatican.

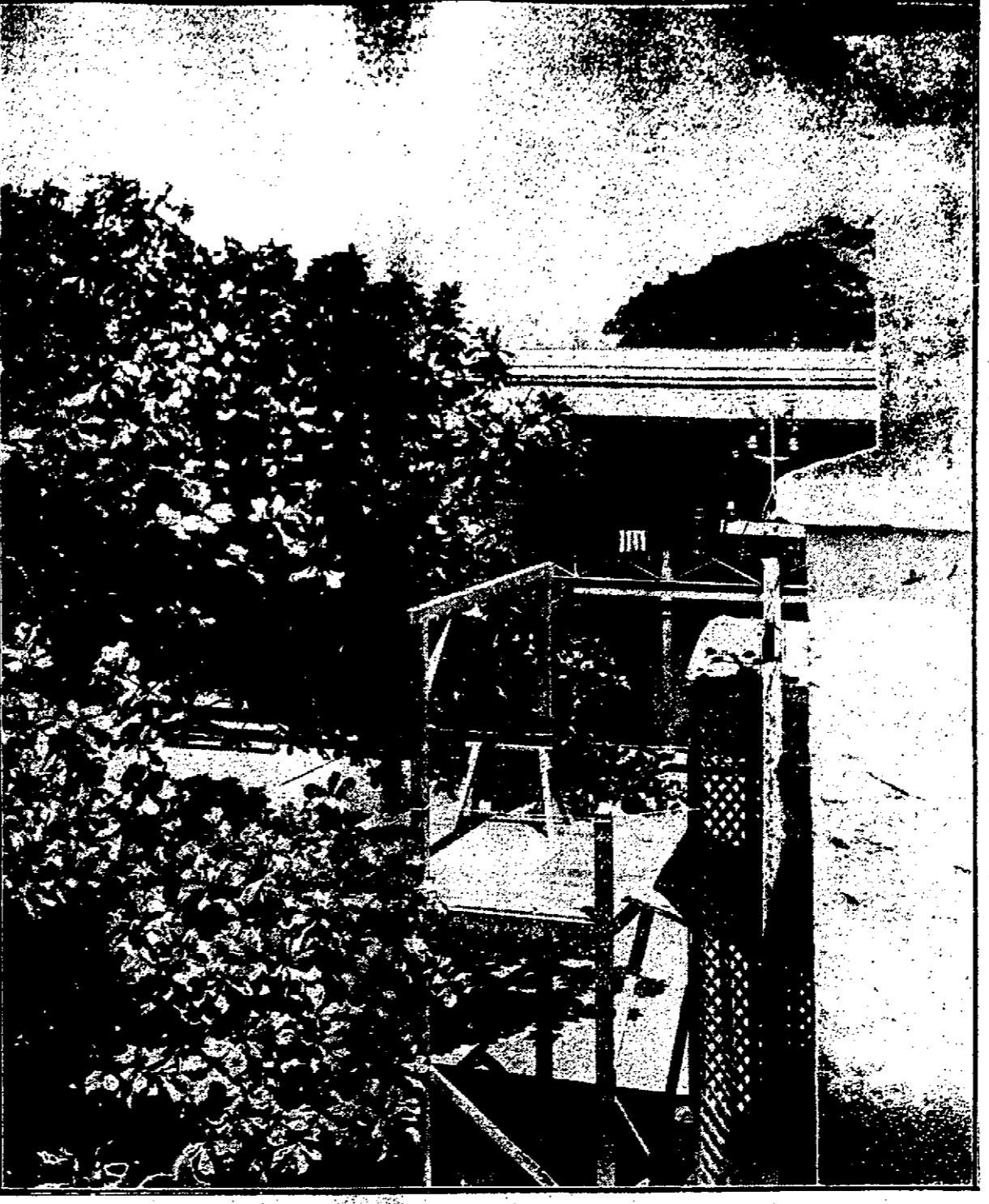
It has been calculated that, on an average, a cardinal's hat costs \$20,000. A cardinal known for his stinginess, however, succeeded in doing everything "on the cheap" for \$16,000. Another prelate whose private means were very limited, on being raised to the purple, went straight to the pope and told him frankly that unless he advanced him \$20,000 he would have to decline the great honor conferred on him.

Leo XIII. laughed good humoredly and at once consented, as the cardinal in this case was "Di Curia," that is resident of Rome, and, therefore, entitled to a yearly income of \$12,000.

Many wealthy aspirants to the purple, in order to improve their chances, indirectly let the pope know that, if made cardinal, they would willingly forfeit their annual pension in favor of St. Peter's pence.

The four newly elected Italian Cardinals are all "Di Curia," and, therefore, will cost the Vatican exchequer \$48,000 a year.

Once, when the late Bishop of Canterbury, who was an almost fanatical advocate of the temperance movement, was Bishop of Exeter, he traveled some distance into the country to attend an agricultural function. On his return, his rest was disturbed by a newsboy shouting, "Remarkable statement by the Bishop of Exeter!" To gratify his curiosity, he dispatched a servant to purchase the paper. This was found to contain his morning's address, but over his remark—jocosely made, of course—"I have never been drunk in my life," the sub-editor had placed the bold cross head, "Remarkable Statement by the Bishop of Exeter!"



GALLOWS ON WHICH TANBARA WAS HANGED.

(Continued from page 2.)

off, but the bands about his hands prevented this.

### "AMEN" THE SIGNAL.

As Rev. Motakawa said "Amen," Warden Henry gave the signal to the three guards in waiting and almost upon the instant the trap was sprung. Tanbara dropped a distance of four feet. There was no external sign of life from that moment, though the physicians did not pronounce life extinct until fourteen minutes later. Deputy Sheriff Chillingworth, who timed the hanging, caught the minute the trap was sprung as 12:31:46. Immediately Dr. Moore, the prison physician, and Dr. Holt and Dr. Wilson, of the Marine Hospital Service, began the examination of the body for signs of life. Dr. Burgess, Dr. Hoffman and Dr. Hodgins also assisted, as did the Japanese doctors, Mori, Oyama, Haida and Mitamura. The pulsation rose in the body immediately after the drop and reached 190 a minute. Fourteen minutes later the physicians pronounced Tanbara dead, and Marshal Hendry entered the time in the official record at 12:45. It was five minutes later before the body was cut down and given over to the care of the undertaker.

### THE FUNERAL.

The body was later given over to the possession of Rev. Mr. Motakawa and taken to the Japanese Christian church on Kukui street near St. Louis College. The burial service was read by Mr. Motakawa and was quite brief. There were but few Japanese present and no display of any kind. The body was then taken to the Japanese plot in the Makiki cemetery and buried.

### FERRIS WAS SCARED.

George Ferris, who occupied the cell next to that of Tanbara, did not relish the proceedings at all. He heard the reading of the death warrant by Marshal Hendry and did not seem to like it. He is under sentence of death but it is said that the Governor will commute this to life imprisonment.

The gallows was tried on another Japanese in the morning, but the farce was not carried through to completion. This was just to give the guards a chance to see how it worked.

### THE CRIME.

The crime for which Tanbara suffered death was the murder of Captain Jorgen J. Jacobsen of the schooner Fred J. Wood. The captain had his wife and two children with him at the time. The deed was committed with a knife. Witnesses at the trial testified that the captain went below to awaken the cabin boy, and as he started to leave he was attacked by Tanbara with a large bread knife taken from the kitchen table. He was stabbed in the groin and died almost instantly. Later First Mate Meyer held a trial of the murderer and he was found guilty and the cook, Otto, was adjudged an accomplice. The murder occurred early on the morning of July 31st and the Fred J. Wood put in Honolulu on the afternoon of August 8th. She was on her way from Portland to China.

Tanbara and Otto had both been confined in the hold, and their clothes were still bloody. The trial and conviction followed in short order and Tanbara was sentenced to be hanged on December 28th. On Christmas Day Governor Dole telegraphed a reprieve from Hawaii, in order to allow an appeal, but the Japanese took no further action. President Roosevelt later extended the reprieve to noon of August 14th and the execution took place as soon as possible after the reprieve expired.

### CROWD SAW THE HANGING.

A large crowd witnessed the execution. Those who couldn't get tickets of admission watched from the out-

side. A line of carriages extended along the entire Waikiki end of the prison wall. There were several hundred people outside, and they could just see the top of Tanbara's head before the drop fell. There were a few ladies in that crowd outside. Inside were probably four score men, nearly all of them federal and police officials. Many Territorial officials were also present. A line of guards was drawn up just in front of the scaffold and as Tanbara walked upon the platform, the guards who were armed with rifles, were called to "attention".

Delegate Kuhio, Representative Vida, Insurance Commissioner Holt, Assistant Postmaster Kenake, L. H. Dee, Deputy Collector Couzens, Deputy United States Clerk Hatch, Sheriff Chillingworth, H. M. Dow, United States Attorney Breckona, H. A. Bigelow, and many others were inside the prison yard. All were admitted on tickets, which were first examined by the jailer, and marshal. C. H. Brown was the only member of the jury which found Tanbara guilty who was present.

All the arrangements for the execution were perfect and every detail was carried through without a hitch.

## AUTONOMY WOULD BE BAD FOR NATIVES

The native Hawaiians don't know a good thing when they have it. They are going to petition congress to restore the Islands their former independence.

The funny thing about the decision is that the natives have more home rule now than they have had since the native dynasty was deposed by revolution. Under the independent government that existed between that time and annexation the native didn't count very much or very often in governmental affairs. The English-speaking people of the Islands, English and American, ran things to suit themselves. Annexation, by enfranchising the natives, gave them more power as a body than they had under the Dole government and more power as individuals than they had under their queen. But a taste of popular sovereignty has made their heads swim. They now foolishly ask for a severance of the relation that has given them such unwanted power in their own land. They do not seem to realize that if independence were restored to Hawaii tomorrow, the natives would be kicked out of power the day after by the people of the dominant race.

Independence is a good thing, but the United States is not in the business of creating independent states for the benefit of oligarchies in Hawaii or of dictators in the Philippines.

Hawaii is in no sense a nation. The kanakas are only a third of the population or less. The clannish Japanese and Chinese have no Hawaiian patriotism. The dominant people of the islands are warmly attached to the American connection. The native Hawaiians will save themselves a good deal of trouble during the remaining years of their decrease and degeneration if they will stop finding fault with the only form of government possible for them in which they will have anything to say.—Minneapolis Tribune.

One way to rise: "Old Jones made a rise in the world at last." "You don't say so?" "I do. They're a-swingin' him to that Hickory limb sonder, an' he'll git that, if the rope don't break!"—Atlanta Constitution.

## BEN BRUNS LECTURES ON HAWAII

Ben Bruns has some kind of a patent medicine company on the road in California in which he figures as a Quaker doctor, "Brother Benjamin." But Ben has a warm spot in his heart for Honolulu and he stopped selling nostrums the other night long enough to give an illustrated lecture on Honolulu and Hawaii. The lecture is thus spoken of by the Napa Register:

An immense audience assembled last evening at Bro. Benjamin's Open Air Concerts at First and Brown streets to hear the long promised lecture on Honolulu and the Hawaiian Islands. To say they were pleased is putting it mildly. The audience were more than pleased. It was all there as Bro. Benjamin had promised. The sugar plantations with the waving green cane, the cocoanut and palm trees, banana trees with the luscious fruit hanging in great bunches, pineapples growing of a size and seeming quality we have never had in this country seen within reach of your hand, Waikiki beach with the native boys bathing and surfing, volcanoes and mountains, gatherings of natives at a luau or native feast, Kualahao church and the old Palace of King Kalakaua, now a state building, and last but not least, Queen Liliuokalani as she appears in life. The pictures were magnificent, the coloring gorgeous and true to nature. The Islands must be a beautiful place to live in.

Bro. Benjamin kept up a running comment on the different scenes as they were flashed on the screen and he certainly handled the subject in a masterly manner, showing he was thoroughly at home in his lecture, while his pleasing anecdotes and stories of the leading personages and places were thoroughly enjoyed by all. An effort is being made to have Bro. Benjamin repeat the lecture before he leaves and we hope he will. Judging from the remarks of the interested audience there is liable at some future day to be an exodus from this city for Honolulu and the Islands as Bro. Benjamin depicted everything in such glowing colors that if they have a promotion committee in Honolulu they can well afford to pay Bro. Benjamin something handsome as the pictures and lecture are the best advertisement for the Islands we have ever seen and listened to, because being more than interesting to the audience.

### TEN BOLD ASSERTIONS

Regarding Chamberlain's Colic, Cholera and Diarrhoea Remedy.

1. It affords quick relief in cases of colic, cholera morbus and pain in the stomach.

2. It never fails to effect a cure in the most severe cases of dysentery and diarrhoea.

3. It is a sure cure for chronic diarrhoea.

4. It can always be depended upon in cases of cholera infantum.

5. It cures epidemical dysentery.

6. It prevents bilious colic.

7. It is prompt and effective in curing all bowel complaints.

8. It never produces bad results.

9. It is pleasant and safe to take.

10. It has saved the lives of more people than any other medicine in the world.

There are old assertions to make regarding any medicine, but there is abundant proof of every one of the above statements regarding this remedy. Every household should have a bottle at hand. Get it today. It may save a life. All Dealers and Druggists sell it. Benson, Smith & Co., Ltd., Agents for Hawaii.

## GOSPI BROUGHT BY THE STEAMER

COLOGNE, Aug. 8.—King Peter, of Servia, is being openly terrorized by his entourage, according to the Belgrade advices of the Cologne Gazette. Most of the present court officials who actually participated in or were privy to the murder of King Alexander and Queen Draga appear to have strongly objected to the appointment of Colonel Leschjanin, the Servian attache at Constantinople, to the post of court marshal. The official gazette yesterday contained the appointment, but shortly after its publication all copies of the gazette were called in by the police. Leschjanin is a brother-in-law of the Minister of Finance, who was court marshal under the late King Alexander.

WHEN MILES RETIRED.

WASHINGTON, Aug. 8.—At 12 o'clock today Lieutenant-General Young issued an order in accordance with the order of the President assuming command of the United States Army. Previously General Young had taken the oath of office in the War Department. At 10:30 o'clock under an order issued by Adjutant General Corbin the officers of the army in Washington, including also those at Fort Meyer, Va., assembled at the Army Headquarters and paid their respects to the retiring Lieutenant-General, General Nelson A. Miles. General Miles arrived in an undress coat with no emblems showing his rank, but with the coat of arms on his shoulders such as is now prescribed to be worn by all officers.

General Young appeared with the three stars of the rank of Lieutenant-General, although he did not actually become Lieutenant-General until noon. The officers were presented to General Miles by General Corbin and also were presented to General Young.

General Miles will leave tomorrow morning for San Francisco to attend the annual encampment of the Grand Army of the Republic. The clerks in the office of General Miles presented him with a handsome silver loving cup and a large vase of flowers.

PROMOTER HOOLEY'S SCHEMES.

LONDON, Aug. 8.—Attorney General Finlay has instructed the director of public prosecutions to investigate the transactions of Promoter E. T. Hooley in connection with the Sapphire Corundum mine of Canada. Hooley's financial career and the heavy failures were the sensations of London a few years back. The bankrupt has since been operating in his wife's name and has been living in the greatest luxury. In the course of the hearing on Thursday of a suit to recover money paid in connection with the deals Justice Darling characterized the whole transaction by Hooley and his colleagues as fraudulent and declared: "It was a grave reflection on the courts of this country that such a thing could occur in the middle of London. Thimble-rigging on race course is a simple crime compared with the transactions of these people with millions instead of pence."

### THE GAME OF WAR.

BAR HARBOR, Me., Aug. 8.—The "enemy" in the mimic war has been captured and is now in the harbor. The hostile fleet was sighted for the second time during the night at 3 a.m. by the Olympia, which signalled the flagship Kearsarge. The Kearsarge with the Illinois and the Alabama put after the enemy who surrendered after shots had been fired by the Kearsarge. At 8:30 a.m. the Kearsarge, Illinois and Alabama were in sight, headed for Port with another battleship, evidently the Indiana, following. Signals to the effect that the "enemy" had been captured and was being brought in were read by naval officials on shore. The fleet was headed for Lamoine, the government coaling station.

## CHANCE FOR SMALL FARMER

There are thousands of farmers throughout the United States who are industrious, hard-working men, whose farms barely produce a living for the families which occupy them. These men rarely have more money than is needed to pay taxes and other absolutely necessary expenses. They never expect to get rich, and are perfectly satisfied if they make a comfortable living. Farmers of this class could much improve their condition if they were able to come here and secure homes and small farms of tillable land. Once they get a start here, they would find a ready cash market for their surplus products and would do much better on the fertile lands of the Islands than on the farms they are tilling on the mainland. The difficult proposition will be to get them here and located on home farms, but it must and will be done in time. This is a proposition to which Commissioner of Immigration Lanigan should give much consideration, and the Territory should stand ready to back him in all reasonable and feasible schemes to attract this class of farmers.—Mail News.

## CATHOLICS HAVE A FEAST DAY

Several hundred Portuguese and natives journeyed to Kaili valley yesterday to attend the high mass which took place at 10 a.m. at the new church of "Our Lady of the Mount." Father Clement was the priest in charge and he was assisted by Father Stephan. The occasion was the Feast day of the Titular of the new church, and at 2 p.m. there was a procession with the statue of the Blessed Virgin in which several hundred took part. There was music by the Concordia band during the day.

**Hawaiian Gazette.**

At the Postoffice of Honolulu

H. T., Second-class Matter.

SEMI-WEEKLY.

ISSUED TUESDAYS AND FRIDAYS

WALTER G. SMITH, EDITOR.

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TUESDAY : : : AUGUST 18

**TOURISTS FROM THE ORIENT.**

Col. Macfarlane's idea that tourists may be profitably sought in Japan will be appreciated by any one who has seen how foreigners swarm along its routes of travel. The idea is held here that the great majority of Oriental tourists seek Hawaii anyhow, either going or coming, but this is far from being the fact. Only a small percentage of the foreigners who visit Japan reach that country via the San Francisco-Honolulu lines. Some of them travel on the Canadian "Empress" route; others, half from Australia; a multitude run over from the European colonies of Vladivostok, Chefoo, Chemulpo, Hongkong, Shanghai, Amoy, Saigon, Singapore, Bangkok, Batavia, Ceylon and the ports of India; and the rest are from Europe itself. Every year these people leave \$7,500,000 in gold in Japan and if they knew Hawaii would spend a million or so more in visiting the Pacific paradise.

What is needed is the distribution of literature in all the Oriental hotels in a form adapted for permanent use in their reading room, and the hanging of photographs on their walls; pictorial literature for ocean steamers; and an arrangement with such a man as Tom McKay to boom the attractions of this city and Territory wherever he goes. The same tactics should be employed in New Zealand and Australia. It will be a mistake to confine our work to Americans for the franc, the rouble and the pound note are just as good as their equivalents in U. S. gold coin. Hawaii should draw upon the world; not upon the home section of it merely.

**NOT A BAD LOSS.**

We shall soon see the last of the steamers conveying Chinese to Mexico via Honolulu if the following Associated Press telegram to the Coast papers is authentic:

**EL PASO, Tex.**, Aug. 7.—A report from reliable sources has reached here that Secretary of State Ramon Corral of the Mexican republic has just issued an order that Chinese be excluded from Mexico. The order is directed especially to the western coast along the Gulf, where Chinese have been arriving by the shipload and scattering throughout the republic, many finally making their way to the United States by smuggling themselves across the border.

The order becomes effective at once and it is stated that several cargoes of Chinese, now on the seas and destined for Guaymas, State of Sonora, will not be permitted to land.

The next Mexican Congress, which meets September 16, will, it is said, pass a general law for the exclusion of all Chinese immigrants.

It is not desirable to have coolie steamers running between China and Mexico with Honolulu as a port of call, especially if a trade grows up warranting the vessels in stopping here both ways. Trade is a good thing to have but public health is more important, and while so many trading lines exist from which Hawaii gets full benefit this Territory can well spare one which is exclusively devoted to carrying the lower class of people from one terminal which has cholera and bubonic plague and returning from another which has yellow fever.

**NEED OF A MASTER.**

The record of massacre is about even in the Balkans. One day we hear that the insurgents have burned Turkish towns and massacred the people, the next that the Turks have retaliated, and so on to the end of a bloody chapter. The pity of it all is that one set of ruffians, by calling themselves Christians, gain a certain amount of sympathy from actual Christians who would not for a moment excuse the conduct of the Macedonians and Bulgarians if they knew what it was. The brigands who captured Miss Stone and Madame Tadka, were Balkan "Christians;" the assassins of King Alexander of Servia were in the same class.

What seems to be needed throughout the Balkans is the firm hand of a master power, such as Poland got from Russia, Germany and Austria. Freedom for the Balkan States has its equivalent in the license of half-civilized tribes. Ever since the Berlin treaty deprived Turkey of its Balkan provinces the European "East" has been a cyclone center and it always will be while the passions of the semi-Orientals there are allowed to have full swing in their own policies.

The Pope may yet be called "the Pope of the People." He is discarding the pomp and ceremony which Leo learned to love while he was a nuncio at Royal courts and is going about with much of the simplicity of the Master and His apostles. The story told of the Pontiff in another column, not omitting the incident of his putting his cardinal's ring into pawn to raise money for the poor, will win him an affectionate regard much wider than his own vast communion. A Pope who is a simple minister of God, not sitting on the throne of Peter—who had no throne—but following in his sandals footstep, would do more to increase the prestige of the church as a spiritual power than would a pontifical sovereign, however able and distinguished, who sat apart from his fellow men in lonely splendor.

A visit from the Oakland and San Francisco baseball teams would be a welcome diversion for the Christmas holidays. It might also prove interesting for all but the players of the teams chosen to play against the visitors.

It will keep people pretty busy to apply kerosene after every rain in Honolulu.

**HANGING VS. ELECTROCUTION.**

Hanging, when it took the place of death by the rack and stake, was a step forward in the path of civilization. When it was adopted there were no painless and instant processes of judicial death, the nearest approach to them being those supplied by the headsman with his axe or guillotine. But capital punishment by the edge of the steel, though vastly preferable to that by the stake or rack, made public executions a butchery unworthy of the dignity of justice and of the humane instincts of man. The public revolted at it; and though hanging was bad enough, it was the choice of evils. In the then state of science there was nothing better to serve the ends of justice in capital cases.

But time has changed conditions. The development of electrical energy has made possible a painless death, without mutilation of the body. For many years past the electric chair has taken the place of the gibbet in the criminal processes of New York and perhaps of one or two other States.

Save for the singular hold which precedent and custom has upon the minds of men of even the highest civilization, all States by this time would have adopted the New York method. It is humane, impressive, unfailing in its work—the ideal instrument of justice which tempers its work with mercy.

Congress would do well to require that civil executions in its Territories and possessions be carried on by electricity instead of the rope. After it had done so all the States and perhaps some foreign nations would follow, bringing the time in sight when the gibbet would be but away with other discarded mediaeval instruments.

The American Navy has a good many accidents in one way or another and the news of them is hailed with glee in Europe; but it may be doubted that the naval casualty list is any greater here proportionately than it is abroad. In the United States the press gets hold of every mishap; in Europe such matters are usually withheld from publication. A reporter who tried to get the particulars of an accident to one of the Kaiser's ships would certainly be snubbed and if his paper took his side and followed the matter up, its editor would go to jail. The penalties in Russia would be even more severe. It is publicity from which the reputation of the American navy suffers abroad—not from exceptionally bad management.

**TURKEY IN EUROPE.**

The powers could put an end to Turkish rule in Europe if they chose to do so without throwing the control of the narrow waters which connect the Black Sea with the Mediterranean into the hands of Russia. The annexation to Greece of Macedonia—its ancient heritage—and of the eastward provinces including Constantinople and the northern shores of the Aegean sea, would put the control of the Dardanelles, Sea of Marmora and Bosphorus into the hands of a little state that would maintain their neutrality and keep public order. The remainder of northern Turkey could be easily divided between Bulgaria, Servia and Montenegro.

Concert of action between Great Britain, Germany, Austria, Italy and the Balkan States could accomplish this irrespective of the wishes of Russia and France, with the result that the "Balkan question" would be disposed of for one generation at least.

In such a matter there need be no special sympathy expressed for the Turk. He is an alien encamped upon the soil of Europe—an Oriental out of his place; and as his empire extends far into Asia he could set himself up there again and reestablish his power without much hardship or loss. In Asia Minor the Turk would be out of the way; in Europe he has already caused many wars and is guilty of the worst crimes against that civilization of which Europe should be the undivided and protected home. While he stays, there can be no peace; when he goes the region now controlled by him should become as peaceful as Greece or Austria.

**FIGHTING THE SUGAR TRUST.**

If fear of the sugar trust prevents Hawaiian planters from seeking an independent market for their product, they are simply lacking in a right appreciation of their own strength.

Combined, even without Irwin & Co., the Hawaiian planters are vastly stronger than Claus Spreckels. Yet Spreckels fought the trust single-handed and compelled it to divide territory with him.

Hawaiian planters can mass \$50 where the Arubuckles can collect \$1, yet the latter are fighting the sugar trust with every prospect of success.

The Advertiser does not doubt that, if the local interests built a refinery and made war for all they were worth, Spreckels and the trust would give them the trade of enough territory to absorb the island sugar at a fair price.

The gladiatorial spirit of the American people is quite as strongly marked as was that of the ancient Romans. The greatest orator or preacher or singer or actor could not gather such an audience at such an admission price as that which greeted Jeffries and Corbett in San Francisco last night.

Henry Ward Beecher was in luck when a lecture netted him \$1500; Edwin Booth rarely played to a \$6000 house nor did Patti ever sing to a \$10,000 one. Yet the two eminent pugs, one an ex-boiler maker and the other an ex-saloon keeper, gave a short entertainment with their fists last night which 10,000 people paid \$60,000 to see.

C. W. Booth and Charles Wilcox are two of the grand jurors drawn for the next term of Judge De Bolt's court. If that grand jury wants to learn about some of the things that the last legislature did it won't have to go outside its own membership for the evidence.

Anybody who ever saw a "rush by the crowd to secure mementoes" at an execution in Honolulu must have been here in prehistoric times. This is one of the respects in which public manners in Hawaii have never stood necessitous of improvement.

A visit from the Oakland and San Francisco baseball teams would be a welcome diversion for the Christmas holidays. It might also prove interesting for all but the players of the teams chosen to play against the visitors.

It will keep people pretty busy to apply kerosene after every rain in Honolulu.

It is reliably reported that George A. Davis, shortly before leaving, said he had to get \$2500 from Sumner to obtain a \$1500 fee for himself as \$1000 of the money was to go to somebody else. Who the partner in the enterprise was Davis did not say but it may be guessed.

**PLANTERS AND FARMERS.**

Col. Z. S. Spalding, whose interesting letter about small farming from a plantation standpoint was printed in this paper yesterday, is quite right in urging that there should be no rivalry for possession of the soil between the big agriculturist and the little one. So far as the Advertiser knows there is none. The friends of small farming have no hostility towards plantations and Col. Spalding assures us, that the planters are not at odds with the small farmers. There is every reason why this should be the case unless, as Col. Spalding points out, an increased demand for labor in the future should embarrass both industries and make them antagonistic.

There is no so much danger of this coming to pass as there was. The Territorial government, which has a right under a law, the benefits of which are withheld from private initiative to import labor—or "promote immigration"—has taken the place of the gibbet in the criminal processes of New York and perhaps of one or two other States.

Save for the singular hold which precedent and custom has upon the minds of men of even the highest civilization, all States by this time would have adopted the New York method. It is humane, impressive, unfailing in its work—the ideal instrument of justice which tempers its work with mercy.

Some time has passed since the

**LOCAL BREVIETIES.**

(From Saturday's Daily.)

W. E. Reynolds states that Col. Norris' great ranch at Kahuku on Hawaii is again for sale.

R. M. Brooks was a home-comer in Siberia from attendance at the national convention of Elks at Baltimore. He greatly enjoyed his trip and is in fine health.

Alexander N. Cedaroff has been honorably discharged, after three years service, from the U. S. Coast Artillery at Camp McKinley. He did some newspaper reporting of the Legislature in his liberty hours at the session of 1901.

(From Sunday's Daily.)

Mr. and Mrs. C. M. Cooke will shortly leave Honolulu for a year's travel.

The Hawaiian Trust Co. has invested \$18,000 of trust funds in Hawaiian treasury notes.

R. W. Shingle, of the Waterhouse Trust Co., has returned from his visit to Kona and Kihel plantations.

Professor Rebec of the University of Michigan has returned to town from a visit to the summit of Haleakala.

W. B. Skinner of the Hawaiian Electric Co.'s staff is going abroad for three months to study the advanced electric arts at great centers.

There is said to be considerable local speculation by cable with San Francisco in the underwriting of the oversea ship Helen Boecker.

F. J. Church will submit to the Honolulu Merchants' Association statement indicating that officers of some steamships use persuasion to prevent the stopping over of through passengers at Honolulu.

(From Monday's daily.)

The government band is expected to return from Maui on Tuesday's steamer.

Manager Lake of the Young hotel with Mrs. Lake expect to leave tomorrow for a visit to the Volcano.

The confirmation of Delegate Kuhio and his wife will take place Sunday, August 30th, in St. Andrew's Cathedral.

The method by which Judge Gear butted Davis into the Campbell Estate guardianship is remarkably funny reading, in connection with other contemporary history.—Maui News.

Assessor Pratt has started another big bunch of suits for taxes. The cases are brought in Judge Dickey's court and most of them are against employees of the Honolulu Iron Works.

No action has been taken as yet in regard to the appeal of George Ferris for executive clemency. As the date for the execution has not been fixed there is no particular necessity for haste.

The Home Rulers have now filled their committee of sixty-five. A county convention will not be called until later, as the natives want to hold back their nominees as long as possible before the election.

Marshal Hendry will forward the official return of the hanging of Tana-Bara Gisaburo to the Department of Justice today. This is made necessary by reason of the consideration of the case by President Roosevelt.

Curtis Iaukea's meeting at Waialua Saturday evening was not a very great success. Iaukea's idea was to get Republicans to join the Home Rulers at the meeting, and some of the leaders of the native party were present, but the plan was not a success.

The court of inquiry which passed upon the case of a private that absented himself without leave from the National Guard Camp at Camp McKinley recently has made a report to Colonel Jones. As soon as the proceedings of the court are published.

High Sheriff A. M. Brown goes to Hilo on official business in the Kinai today.

L. T. Kenake, the assistant postmaster of Honolulu, leaves in the Koreo to be married in San Francisco.

Governor Dole said yesterday he would appoint the commissioner to the St. Louis Exposition within a few days. Rumor connects the name of Eben White with the place.

Justice Galbraith takes advantage of the Supreme Court vacation by visiting the mainland with Mrs. Galbraith. They leave in the Koreo.

Judge De Bolt had granted the petition of David Dayton, guardian, to allow Annie H. K. Dowsett, a minor, to participate in the Dowsett Company's readjustment.

Since the Hawaiian Investment Co. broke the ice by taking \$13,000 of the Treasury notes, there has been a regular procession of financiers to offer money to Treasurers Kepokai for the same security.

Jack Grace, the pugilist who was in Honolulu sometime ago, has recently been in Hongkong. He and a pal turned up in Hongkong at the same time challenged each other to a twenty-round fight, and then signed articles for the same. But the public did not take kindly to the arrangement and late files said that the fight would not likely take place.

C. W. Booth's appeal further occupied the time of the Tax Appeal Court all of yesterday forenoon, when it was submitted. Cross-examined by A. A. Wilder, Booth admitted his signature to a petition to the Legislature, requesting the purchase of the land containing the water rights in question for \$250,000. He also acknowledged his responsibility for reports of experts laid before the Legislature in support of his then high valuation of the property.

Quite a Honolulu colony is slowly taking shape in Shanghai. Dr. Sloggett, Judge Davidson, Frank Vida, Dick Daly, W. H. Marshall, W. Porter Boyd and wife, Phil Dankey and H. M. Ayres are among those who have identified themselves with the Chicago of the Orient. It is not unlikely that the list will soon be larger as the local interest in Shanghai is becoming very marked.

It is reliably reported that George A. Davis, shortly before leaving, said he had to get \$2500 from Sumner to obtain a \$1500 fee for himself as \$1000 of the money was to go to somebody else.

Tommy—"Mamma, what made people in old New York wear those great big ruffs around their necks?" Mamma—"That is how our first families learned to hold up their heads, my son."—Judge.

I am not fond of seeing my name in print but believe in this case that the experience of one who was skeptical toward this mosquito-destroying campaign may be of use to others who did not have the opportunity of attending Saturday's meeting.

Respectfully,

W. A. BOWEN.

**POLITICS ON MAUI.****Kalua, Keluoi or Kaiue for Sheriff.**

MAUI, Aug. 15.—"Who can beat Billy White for sheriff?" is the burning question in Maui Republican circles. Report has it that Hon. J. W. Kalua is willing to attempt the task and the friends of Representative S. Kellino think that he can do it. Kamaaina shake their heads and remark that Billy is a hard man to beat. Senator Sam. Kaitue has some mention also as a possible Home Rule candidate.

Some Republicans have already made a slate of the whole ticket, but perhaps it would not be fair play to publish it at present. In this tentative ticket there's a large number of possible candidates for supervisors which would seem not to be an attractive job at \$33 1/3 per month. There's a dearth of candidates for tax assessor and treasurer on account of the bond which probably will be \$100,000 for each position.

THE BAND CONCERT.

After the baseball game on the 12th, the Territorial band played in the K. of P. hall, Waikiki, where a little dancing party was given.

During the morning of the 13th the band played at the residence of Circuit Judge Kalua and in the evening on the grounds of the Waikiki native church. This morning the boys are giving a concert also and this evening will play at the Maui Hotel where a dance will be given by Mr. and Mrs. G. R. Robertson. They will make a visit to either Pouneue, Pala or Hamakapoko because of a lack of necessary arrangements for the trip.

Tomorrow they will depart for Lahaina and will remain there until Tuesday evening when they will return to Honolulu per Lehua.

THE BALL GAME.

# COOPER'S PLAN FOR MOSQUITO CAMPAIGN

Outlines the Work Which Honolulu People Must Do to Get Rid of the Insect Pest.

President Cooper of the Board of Health in his address before the mosquito meeting at the Young hotel Saturday night outlined in detail the campaign which the mosquito brigade expects to follow in its war of extermination.

Dr. Cooper sketched the growth of the mosquito from the larvae stage to the vicious adult and also told of methods used elsewhere. Of the plan for the extermination of the mosquito in Honolulu he made the following statement:

Having given some preliminary observations we will now proceed to consider how the fight against mosquito can be carried on.

After a consultation with those who have been most active in this movement it was decided that the first thing to do would be to appoint a commandant-general of the mosquito brigade; as the movement is to be under the control and supervision of the Board of Health, it is deemed advisable to appoint the Chief Sanitary Officer of the Board of Health, or some one directly under his control, as Superintendent. The qualities necessary are energy, persistence and an entire indifference to public or private opinion.

He may be astonished and perhaps alarmed that his efforts are met at the outset by a storm of letters, demonstrating the absurdity of his intentions; proving that mosquitoes cannot be destroyed, that they spring from grass and trees; that they do not carry malaria, because malaria is a gas which rushes out of holes in the ground and rises as a mist over the country; they do not carry yellow fever, which is due to the effect of the tropical sun on rotting vegetation; and etc., and etc.

For some inscrutable reason, the man in the street, though he would scarcely think of contradicting a lawyer or engineer on matters of law or engineering, finds himself quite equal to exposing the absurdities of the whole Medical Faculty on a Medical matter.

The next important step is to raise funds. Generally when some sanitary scheme for the good of the community is to be floated, a long report flanked with numerous statistics, estimates and scientific quotations, is presented. This is submitted, through the proper official channel, to the local government and the answer invariably received is that of no funds to meet the expenditure. This movement being under the auspices of the Board of Health will have the advantage of the cooperation of the Government forces in the various Departments. In addition to our force of Sanitary Inspectors the Superintendent of Public Works has given instructions to the Chief of the Garbage Department to render us every assistance in his power. The U. S. Marine Hospital Service through its representative, Dr. Cofer, promise every assistance in their power. The Board of Health is determined to do all in its power but there must be a general cooperation by every inhabitant to make the movement anything of a success.

To Finance the Mosquito Movement it was decided that a subscription list be opened, the account to be kept with Bishop & Co., the money thus received to be expended by the Secretary of the Board of Health, under the direction of the standing or Finance Committee of this movement; a strict account being kept and submitted to the subscribers, with a brief report of progress, every quarter. Those wishing to subscribe tonight may put their names on the list, or at the banking house of Bishop & Co. at their leisure.

We do not expect marvelous results at once and the enthusiasm may get to a low ebb, but the work will never die out so relentlessly by the paid corps of inspectors under the Board of Health. Just what the expenditure will be is not definitely known, but the standing committee is composed of men of business ability and integrity and whatever recommendation for the expenditure of money will be by and with the advice and consent of this committee.

It is the purpose of the Board of Health to get out instructive circulars for general distribution. It may be necessary for the Board to pass further rules and regulations to better control the sanitary obstacles which may be presented. It is a wise measure to have the cooperation of the Department of Education to assist by educating the pupils of our Territorial schools, in the reasons for and methods of exterminating the pests.

As there is a great deal more to be said on the subject and which will be brought forward by other speakers I would summarize as follows:

#### SUMMARY OF OBJECTS.

1. We do not propose to exterminate mosquitoes in the entire group of Islands. We propose only to deal with them in the town in which we live and its suburbs.

2. We do not batter ourselves that it is possible to get rid of every mosquito, even in this city. We aim at reducing the number of insects as much as possible.

3. We do not think it absolutely possible to drain, or otherwise treat, every breeding place in town. We aim at dealing with as many as possible.

4. We cannot exclude mosquitoes which may just possibly be blown into the city from a long distance. We con-

tent ourselves with preventing the insects breeding in the town, itself.

#### SUMMARY OF METHODS.

1. We start work at once with whatever means we can scrape together.

2. We operate from a center, outwards.

3. We clean houses, back yards and gardens, of all rubbish; empty tubs and cisterns containing larvae, or destroy the larvae in them, by means of kerosene oil.

4. We propose to show people how to do these things for themselves and how to protect pools and cisterns by means of wire gauge.

5. See that the premises that have been cleaned, are gone over and over again.

6. Fill up or drain away all pools, ditches, old cesspools, especially those which contain most larvae.

7. Such pools as cannot be filled up or drained to be cleared of weeds, if they contain larvae.

8. Streams and water courses which contain larvae, to be "trained."

9. When we can do nothing else, to destroy the larvae periodically, with oil, or by other means.

10. We will endeavor to interest our neighbors in the work, and to educate the town into maintaining a special fund for the purpose of prosecuting this work indefinitely. The Board of Health has no special appropriation that can be used for this purpose.

Our motto should be the first law of tropical sanitation; namely, "No stagnant water."

## LOTS OF LAND FOR SMALL FARMERS

Kukalau, Paiauli, Hawaii,

August 10, 1903.

Editor Gazette: I notice in a recent issue of the Gazette that you state that the American farmers do not come here because government land cannot be obtained. Now this

may be true, but at the same time there is plenty of land that can be bought from private parties, and much of which is as good, and in some instances better than the government land. Good unimproved land can be bought for from fifteen to twenty dollars per acre, and improved land from thirty to fifty dollars per acre. One reason for this, is because the coffee culture has turned out a failure and in consequence most of the small farmers, or rather coffee planters have spent all their money and have had to abandon their lots, some of which range in size from ten to one hundred acres.

It was to save these men from ruin, that I proposed, while the commissioners were here, to apply for a bounty on coffee.

And it's to be hoped that Congress

will see the need of holding out a helping hand to their fellow citizens across the sea, who have in most cases embarked their all in the coffee industry, in the hope that with annexation, would come protection,

and prosperity and not famine and ruin.

I will say further that not only is coffee just suitable to this soil and climate, but in the coffee belt, which is at a high elevation, usually from 1500 to 2000 feet above the sea, the climate is simply superb, and cannot be surpassed.

The occupation of coffee culture too,

is one of the most interesting industries one could possibly go into. And a coffee plantation when in full bearing is as rich and beautiful a sight as one could wish to see. It is also an ideal occupation for the white man,

as he escapes the heat of a lower elevation and grows strong and vigorous, and enjoys life as he had seldom done before. But better than all it is within the means of men with but little capital, because, as a rule, he can grow enough vegetables whose sale will provide him with the necessities of life, while the coffee trees are growing. That is, in the most favored districts. But I consider it useless to speak of the advantages of coffee culture unless we get a duty on coffee, and therefore, it is with Congress whether this vast domain is to be cultivated, or lie waste.

But if the development of these Islands is of any consequence to Uncle Sam, and if an increase of revenue and population is of any importance at all, then a bounty or a duty is an absolute necessity. Most people argue that if protection is good for the mainland it is good for these Islands. And we trust that the Commissioners, that came to these Islands to ascertain what laws were needed, will have seen the necessity of doing something for the benefit of this industry, and will bring this matter before Congress at an early date. It is a well known fact that some other than the sugar industry is needed for the full development of the resources of Hawaii, and so far as my experience goes, nothing has been found so suitable as coffee.

I understand that on some of the other Islands truck farming has been quite successful, but as far as nothing has succeeded like the coffee tree in this district.

Yours very truly,

GEO. OSBORNE

# WANTS BIG DAMAGES

Chinese Involved In a Law Suit.

The Oahu Lumber & Building Co. is made defendant in a suit for \$15,000 damages filed Saturday by C. Din Sing, who claims to have been maliciously prosecuted.

The petition filed Saturday morning alleges that the plaintiff is a reputable citizen and merchant, having been engaged in business in Honolulu for the past twenty-three years.

It is further alleged that on the 7th day of August, 1903, the defendant, through its president, Lee Chu, falsely and maliciously caused to be instituted a suit against the plaintiff for the sum of \$441.51 and that defendant in that suit also prayed for a writ of ne exeat whereby C. Din Sing was to be arrested and taken into custody until he should file a bond not to attempt to leave the Territory.

It is then alleged, "That the said defendant in so doing acted maliciously and without probable cause, for the purpose of injuring this plaintiff in his reputation and business." That upon obtaining said writ, it caused an alarm to be sent throughout Honolulu that said plaintiff was about to escape from the Territory without paying his just debts, and caused his house to be searched and his wife and child subjected to great indignity, and caused an outgoing steamer, to wit: the "Nippon Maru" to be searched to ascertain whether said plaintiff was hidden therein.

"That plaintiff had no intention at that time of leaving on said steamer, as the officers and agents of said defendant corporation well knew, but was residing quietly in said Honolulu without making any attempt to leave the same."

"That thereafter, on the same 7th day of August, 1903, the said defendant, the Oahu Lumber & Building Co., by its attorneys, J. Alfred Magoon and J. Lightfoot, after having caused all the scandal and disgrace possible to said plaintiff, by its actions, and having caused notice of the issuance of said writ and the search for this plaintiff to be published in the daily newspapers of Honolulu, filed in the Circuit Court of the First Judicial Circuit a discontinuance of the action aforesaid."

It is further alleged, "That all of

this time this plaintiff, C. Din Sing, was unaware of the action of said defendant, until he heard of the same through the scandal created and hue and cry raised by said defendant, the Oahu Lumber & Building Co., Ltd.

"That immediately upon hearing said facts, he notified the Police Department, through his attorneys, that he was ready and willing to accept service of any process against him, and was informed that said process had been withdrawn and suit discontinued by the said Oahu Lumber & Building Co.

"That the whole of this malicious and false prosecution was instigated, instituted and continued by the defendant herein, it well knowing that it had no probable cause for the instigation, institution or continuance of the same."

"That through the actions of the said defendant, the Oahu Lumber & Building Co., Ltd.; as aforesaid, and in falsely, maliciously and without probable cause obtaining the writ of ne exeat for the arrest and imprisonment of the defendant, and in causing search of his premises to be made and public notoriety to be given to said issuance of said writ, and insult and indignity offered to his family, and disgrace offered to himself, plaintiff has been injured and damaged in the sum of Fifteen Thousand Dollars."

The occupation of coffee culture too, is one of the most interesting industries one could possibly go into. And a coffee plantation when in full bearing is as rich and beautiful a sight as one could wish to see. It is also an ideal occupation for the white man,

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HUSBAND SMASHED THE CHINAWARE

Judge De Bolt Saturday granted an injunction restraining Charles Laupal Hapai from interfering with or in any way molesting his wife, Anna Hapai, pending the hearing of a suit for divorce which was filed by her Saturday.

The petitioner claims that her husband has been cruel and refused to support her. She alleges that he has possession of all her wearing apparel excepting that which covers her, and that he refuses to give it up.

She alleged first that on New Year's eve, 1901, the libellee struck and beat her, without cause and provocation and "tore her clothing, a holoku off of her."

Further that "during the period of time from January, 1902, up to about March, 1903, the libellee, without cause or provocation, whenever angered and out of temper, would take up a bowl or dish and smash it on the wall or floor, cursing and swearing all the time."

A number of other cases of assault and cursing are related, and it is further set out that Hapai has refused to contribute to his wife's support. She asks alimony, divorce and an injunction.

The latter was granted by Judge De Bolt and the husband is restrained from interfering with his wife, and is also ordered to restore her clothing and other property.

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The Waimea Sugar Mill Company.  
The Fulton Iron Works, St. Louis, Mo.  
The Standard Oil Company.  
The George F. Blake Steam Pumps.  
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The New England Mutual Life Insurance Company, of Boston.  
The Astoria Fire Insurance Company, of Hartford, Conn.  
The Alliance Assurance Company, of London.

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INSURANCE  
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New England Mutual Life Insurance Co  
OF BOSTON.

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**THERAPION.** This successful remedy used in European Hospitals by Ricard, Roatán, Robert, Valpau, and others, will be the desideratum to be sought in a medicine of the kind, and surpasses everything hitherto employed. **THERAPION No. 1** maintains its world-renowned and well-merited reputation for deranging rheumatic pains in the back, and hundred ailments, afford prompt relief where other well-tried remedies have failed. **THERAPION No. 2** for impurity of the blood, scurvy, pimples, spots, blotches, pains and swelling of joints, gout, rheumatism, & all diseases for which it has been too much a fashion to employ mercury, arsenic, &c., in the destruction of sufferers' teeth and ruin of health. This remedy purifies the whole system through the blood, and thoroughly eliminates all poisonous matter from the body. **THERAPION No. 3** for exhaustion, sleeplessness, and all distressing consequences of disease, worry, overwork, &c. It possesses surprising power in restoring strength and vigor to those suffering from the influence of heat, residence in hot, unhealthy climates, &c. **THERAPION** is sold by the principal Chemists and Merchants throughout the world. Price in England, 2d. 6d. and 6d. In America, which of the three numbers is required, and at what price, **THERAPION** appears on the British Government Seal (in white letters on a red ground) affixed to every genuine package by order of His Majesty's Hon. Commissioners, and without which it is a forgery.

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# HOW DAVIS WAS CHOSEN

Explanation by Judge  
Gear in Campbell  
Minors Affair.

Judge Gear made an order yesterday appointing J. J. Dunne as guardian of Muriel Campbell and Mary Campbell, minor children of the late James Campbell.

In connection with this guardianship Judge Gear has filed an opinion. After reciting the reasons for appointing a guardian which he gave on the previous occasion, he says with reference to the recent hearing and the petition of Mrs. Campbell-Parker for the removal of George A. Davis, since resigned, as guardian:

"While the executors have undoubtedly been advised by Mr. Bird that the proceedings had been proper, both Mr. Brown and Mr. Carter admit that the will is void in California. If the trustees and executors now contend, however, as the Court so understands their contention, that the proceedings in San Jose are legal and proper and that the property can legally be made subject to the trust in the will, it follows that their contention is diametrically opposed to the interest of the children if the Courts conclusion is correct and the will be void in California, for in one case the children get their share of the fee of the estate and in the other they get only their share of its income. It is a question of law, in the consideration of which the trustees set up a contention adverse to that of the rights of the children, as this Court concludes them to be."

"The question then arises as to whether this Court, having concluded it to be 'convenient and necessary' to appoint a guardian of the estate of these children, should be governed in its selection and appointment of a guardian by the wishes or request of the mother, who is the executrix and one of the trustees, or the executors and remaining trustees."

"While the Court is not inclined, nor does it wish to make an appointment which would be obnoxious to the parties personally, it is of the opinion that under the circumstances it would not only not be proper to allow any of the trustees to nominate a guardian, but that on the contrary it would be improper and contrary to the well-settled rules of law to do so."

Here, Judge Gear quotes several authorities on the proposition just stated and proceeds to say:

"This being the law, it is apparent to this Court that it would be a grave error to allow one who is incompetent to be the guardian to dictate whom the Court should appoint. It is the Court's duty to appoint such person as the Court believes will faithfully and conscientiously perform his duties, and while the Court hopes its appointee will be satisfactory to the trustees, it cannot nor will it allow them to dictate the appointment."

"Under the law of this Territory the Judge of Probate, when it shall seem to him 'convenient or necessary' may appoint guardians for minors and others."

"The Court, while having the highest regard for the honesty and integrity of the executors and trustees named, nevertheless differs from them as to the rights of the minors in this case and, therefore, for the purpose of litigating these matters, if necessary, as well as for taking care of the interests of the minors, will appoint another guardian for them."

"As no cash has been received from the sale of the San Jose property, the bond need not be as large as the last one."

Below his signature the Judge offers this explanation of his appointment of George A. Davis:

"In this connection it may not be out of place to state that, when the executors filed their accounts, Mr. Cecil Brown asked the Court on behalf of the executors to appoint Mr. Davis master, and at his request and nomination the appointment was made. Mr. Davis in his report recommended that no guardian should be appointed, but the Court agreed with the guardian ad litem and made the appointment, appointing the very person the executors had nominated as master, and believing at the time that the appointment would be equally acceptable as the one asked for before. It will be seen, therefore, that Mr. Davis originally came into the case at the request and instance of the executors, and not at the suggestion of the Court."

## BOX OF HOUSE MYSTERY OPENED

When Solomon Meheula, clerk of the House of Representatives, delivered to the Secretary of the Territory the key of the box that purported to contain the House records, Mr. Carter required him to stay by while an inventory of the box's contents was being taken. Journals, reports, messages, etc., were all entered by numbers in a catalogue. Mr. Carter said yesterday, in answer to a direct question, that the vouchers of personal expenses of the House were not in the box when opened. Further, he hinted at the absence of one or more documents in singular or plural series. As it would be unintelligible to the public to publish the omissions by number, the Secretary is going to have a detailed report on the inventory prepared.

Variety is the spice of vice.—Life.

Inquiry into the charge that officers of steamships which make Honolulu a port of call are crying down this city and trying to keep their passengers from stopping here, fixes the personal responsibility upon employees of the Japanese Maru and the Canadian-Australian lines. It is said that they tell inquirers that there is nothing to see in Honolulu or Hawaii and that this place is not a safe one for the investment of capital.

Naturally the Japanese steamship people, debarred as they are from carrying freight or any except stopover passengers between Hawaii and the mainland, have lost some of their interest in us; and they are not anxious to leave east-bound passengers here who may choose to continue their journeys to the coast on the Pacific Mail or O. & O. lines. The Canadian people feel in a similar way. They are working for the Canadian Pacific railroad on the one hand and for the tourist trade of the Federation on the other; and the more they can keep Hawaii out of the calculations of the travelling public the better for them.

There is a gentleman in this city who has had experience with the "knocker" policy of the Japanese and British steamship officers and would be willing, we do not doubt, to lay the matter before the Chamber of Commerce and the Merchants' Association. It is certainly a subject for them to take up and one which they can deal with effectively. A certain amount of business goes to both foreign lines here, else their steamers would not stop. Some of it—indeed much of it—is controlled by white merchants, and all by men whose hope of gain rests on the revival of business in Honolulu. The very agents themselves of both lines are interested in this way and Honolulu may, we think, rely upon them, as members of the Chamber of Commerce, to do all the occasion calls for.

It is interesting to note the present valuation by their owner, Mr. Booth, of the Pauoa springs. His figures for the land, including the water, are about \$10,000, his lawyer contending that without the land the springs have no value at all. Yet Mr. Booth insisted to the Legislature that the springs alone were worth \$250,000 and he induced that body of economists with the Bulletin urging it on, to appropriate \$150,000 for buying them. The steal was headed off by the Governor though not until several respectable citizens, who ought to have been in better business, had backed the Booth appraisal up. What must be their feelings now when the complainant stands before the Tax Appeal Court and pleads that the Pauoa springs are not worth a sou—markete?

The other day a gentleman happened in at one of the big live schools and asked the principal if he was interested in the anti-mosquito fight. He was—deeply. He wanted the mosquito driven out and was willing to help. "Very well, then," said the caller, "I'll give you a job right at home," and leading the astonished pedagogue out into his own yard showed him a full water hole under a tap which was alive with mosquito larvae. Enough insects were being reared there to keep all the schoolboys busy slapping their faces for the term.

Joseph Pulitzer's \$2,000,000 school of journalism at Columbia is going to be a good thing. There is much of journalism which a school can teach as well as a newspaper office and a school can be made to impart a grace and accuracy of written style which the newspaper managers have no time to inculcate nor the pupils time to learn. Despite an idea to the contrary, a well-directed school of journalism can be made as useful to the newspaper student as a successful school of law can be made to the aspirant for legal knowledge.

General Miles will hardly be able, if current reports may be taken at face value, to get the command of the G. A. R. He has never been an active Grand Army man and his sudden ambition to go to the front is redolent of politics. The veteran organization does not like to be made use of politically and this fact will probably defeat Miles, notwithstanding the favor in which he is held as a volunteer who became a regular of the most exalted rank.

The mainland press is having sport with the Hawaiian scheme to get out of the United States, and as usual some of the papers lay it to the "Dole oligarchy." The "oligarchy" comes up smiling to deny the soft impeachment. It is quite willing to stay in the United States despite the fact that autonomy would make its tenure perpetual. Autonomy is a thoughtless device of its ancient foes, the enfranchised aborigines.

A college professor, if in good luck, gets a salary of \$7,500 per year. It is his high water mark. Yesterday Champion Jeffries, the pug, received \$32,000 for half an hour's work in the ring and his beaten opponent got a solatium of \$10,000. And yet they hope to set aside athletics in the colleges in favor of learning.

It was easy for the war game fleet to pass the Bremerton defences in time of peace, but when a real enemy happens along he will probably meet a few torpedoes in the path and an occasional coast defence monitor.

If Roumania really bristles up to the United States, we may have to detail Rhode Island to look after her.

Russia has tried to coerce the Turk before without getting the larger half of the gate money.

If the Kansas floods keep up the old State will ask to be made a port of call for the navy.

When sugar looks up so does Hawaii.

### (ASSOCIATED PRESS CABLEGRAMS.)

SOFIA, Aug. 17.—Bulgaria has presented a memorandum to the powers showing the situation in Macedonia as it has stood during three months past. The details include murder, torture, incendiarism, pillage and oppression by Turkish soldiers and officials of Bulgarian victims. The prisons are filled with priests, teachers and merchants, women have been violated and the Bashi Bazouks (Turkish irregulars) have burned eight villages at one of which, Smerdesch, 200 non-combatant Bulgarians were killed. It is estimated that 5000 villagers are now imprisoned and the remainder reduced to servitude.

CONSTANTINOPLE, Aug. 17.—The Ottoman Government has entered into a contract with the Krupp works for thirty-two batteries of rapid fire artillery.

CONSTANTINOPLE, Aug. 17.—The British Ambassador has called the attention of The Porte to the gravity of the situation in Macedonia and the consequences which must follow the murder of foreigners.

# HALL HARD AT WORK

## Federal Forester on a Visit to Tantalus and Waianae.

W. L. Hall, in charge of the forest extension work for the United States Agricultural Department, has been spending the days since his arrival in a close examination of Oahu's forests.

Forester Hall spent Thursday and part of Friday in the Tantalus forest and in the woods back of Waianae. He was accompanied by W. M. Giffard and L. A. Thurston of the Board of Agriculture and also by Mr. Judd. Today Mr. Hall is to accompany H. M. von Holt to Ewa and with him, will inspect the Waianae range, and the mountains back of Waianae on Monday and Tuesday. Wednesday Mr. Hall accompanied by the members of the Board of Agriculture will visit the Nuuanu Forestry and the latter part of the week he will visit the remaining forest districts of Oahu. On the 25th Forester Hall intends to leave for one of the windward islands for an examination of the forests there. He has not decided as yet what island he will first visit.

greatly strengthened my throat, cleared up my voice, and took away the tendency for every cold to go to my lungs.

"Last year I had a bad attack of la grippe. The only medicine I took was from this bottle, and I came out all right. I know it's good, too, for asthma, bronchitis, pneumonia, croup."

There are many substitutes and imitations. Beware of them! Be sure you get Ayer's Cherry Pectoral.

Two sizes. Large and small bottles.

Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U.S.A.



"We are old friends, this bottle and I. We have known each other for over sixty years. When a boy I was always taking cold, but a few doses of this medicine would at once set me right."

"When a young man I had a weak throat and weak lungs. My friends feared some lung trouble, but

Ayer's  
Cherry Pectoral

greatly strengthened my throat, cleared up my voice, and took away the tendency for every cold to go to my lungs.

"Last year I had a bad attack of la grippe. The only medicine I took was from this bottle, and I came out all right. I know it's good, too, for asthma, bronchitis, pneumonia, croup."

There are many substitutes and imitations. Beware of them! Be sure you get Ayer's Cherry Pectoral.

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Tooth and Hair  
BRUSHES

Ever Shown  
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Call and See  
for  
Yourself

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TOOTH BRUSH  
Price 35c

Try this one and tell us what  
you think of it.

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FORT STREET.

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NEW YORK LINE

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RAPID TRANSIT ELECTRIC  
CARS arrive at, and depart from,  
the main entrance to the Moana  
Hotel every ten minutes.

MOANA HOTEL CO., LTD.

Christian Science mother—"Eleanor, what is the matter?" "Oh, mamma, I got a terrible error of the mind in my stomach."—Life.

Casey—"Kelly hasn't th' price av a  
drinkin' Costigan—"How do ye know  
that?" Casey—"He aint drinkin'."—Life.

"When it comes to opening up a  
new country," remarked the Observer  
of Events and Things, "there is nothing  
can beat a volcano."—Yonkers  
Statesman.

Farmer Mossbacker—"What's William  
Jennin's Bryan doin' now?" Farmer  
Benton—"Helpin' to elect the next  
Republican President."—Puck.

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Ornamental, Storm-Proof, Easily  
Laid.

These tiles are recommended by  
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Send for illustrated booklet of our  
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The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings and on Merchandise stored therein on the most favorable terms. For particulars apply at the office of  
F. A. SCHAEFER & CO., Agents.

**German Lloyd Marine Insur'ce Co. of BERLIN.****Fortuna General Insurance Co. of BERLIN.**

The above Insurance Companies have established a general agency here, and the undersigned, general agents, are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

F. A. SCHAEFER & CO., General Agents.

**General insurance Co. for Sea River and Land Transport of Dresden.**

Having established an agency at Honolulu and the Hawaiian Islands, the undersigned general agents are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms.

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**Nitrate of Soda**

(The Standard Ammoniate)

fed to each acre of growing cane will give surprising results.

Planters should read our Bulletin giving results of Agricultural Experiment Station trials. They are sent free. Send name on Post Card.

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T. K. JAMES, Proprietor.

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FOR A PAIN in the side or chest there is nothing better than a piece of flannel dampened with Chamberlain's Pain Balm and applied to the seat of pain. This same treatment is a sure cure for lame back. One application gives relief. Try it. All Dealers and Druggists sell it. Benson, Smith & Co., Ltd., Agents for Hawaii.

**BABIES AND CHILDREN** should be fairly plump. They ought to put on fat as fast as they use it up; for fat is fuel, and the burning of it makes power and force. Thin children—even along to the age of eighteen or twenty—are in danger from consumption, and from other wasting complaints. The children who starve, and the young men and women who are consumed—why, the very idea of it is frightful. For such as they there is always what the Bible calls a "mighty famine" in the land. Food, though it may be taken plentifully, does not nourish them. It makes no fat; it gives no strength. To prevent this, to cure this, to save the young ones at the mother's knees, and the bright boys and girls who are just looking at the world with ambitious eyes, is the purpose of **WAMPOLE'S PREPARATION**.

Its success is decided and settled. Thousands owe to it life and health. It is palatable as honey and contains the nutritive and curative properties of Pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrup of Hypophosphites and the Extracts of Malt and Wild Cherry. In building up pale, puny, emaciated children, particularly those troubled with Anemia, Scrofula, Rickets, and bone and blood diseases, nothing equals it; its tonic qualities are of the highest order. A Medical Institution says:

"We have used your preparation in treating children for coughs, colds and inflammation; its application has never failed us in any case, even the most aggravated bordering on pneumonia. The children like it, they love the taste of it, it looks good to them, and it builds up their bodies; many little children owe their lives to it." Effective from the first dose. "You cannot be disappointed in it." Sold by chemists here and everywhere.

**VERY POOR LAND DEAL****McCully Land Co. Makes Wry Mouth.**

"Every time you find a deal with the Government, the Government is sure to be soaked."

This was the observation made by Attorney Arthur Wilder at the Tax Appeal Court yesterday afternoon. It was drawn out by the sardonic reflection uttered by President A. N. Campbell of the McCully Land Co., to the effect that an exchange made with the Government for street widening was the only profitable transaction in the experience of the company.

**NATURE OF APPEAL.**

The McCully Land Co. returned its property for taxes at \$66,000, Assessor J. W. Pratt raised the assessment to \$125,500 and the company appealed on \$69,500. At the hearing of the case W. R. Castle appeared for the taxpayer, Arthur A. Wilder representing the assessor.

C. H. Gilman, former treasurer of the company, was the first witness. Referring to a diagram he said it showed land valuable only on account of its outer boundaries, makai of King street and mauka of Waikiki road. There was a causeway across the land occupied by the Rapid Transit Co.'s track. Ten to twelve acres might be called dry land. A large proportion was wet land, the total area of the property being 147 acres.

"Could you cut up that dry land today and sell it without any filling?" Mr. Castle asked.

The answer was that five or six building lots might be sold, the rest would have to be filled before it found purchasers.

There was 58 acres under lease the first of January. The rentals amounted to \$550, of which \$360 was subject to taxes—he could not answer as to the balance of \$190.

**CONSULTED ASSESSOR.**

The property was subject to a first mortgage of \$8000 and a second of \$60,000. Witness returned it at its mortgage value of \$66,000. He put it down as vegetable land because he did not know how to separate it. It was on the advice of the assessor, whom he consulted, that he put it in at \$66,000.

**WHAT IT COST.**

Mr. Gilman, cross-examined by Mr. Wilder, said the company acquired the land on August 30, 1902. The consideration was made up of two mortgages, a certain amount of stock in the company and a parcel of sugar stocks. Sixty-six thousand dollars was what the land sold for at the commissioner's sale. The amount of the mortgage foreclosed was \$125,000, which was wiped out.

Witness understood the company acquired the leases at the sale.

Mr. Wilder observed that he knew \$40,000 in cash was paid at one time for those leases.

**ANOTHER MATTER.**

Witness said that was another matter, that was all wiped out.

Mr. Wilder—"Well, produce the deed, anyway."

Mr. Gilman said the return last year was \$40,000. The assessor raised it to \$150,000.

"I told the assessor it should not be more than \$75,000. We compromised at \$100,000, subject, on my part, to the approval of the board of directors. The directors approved of it as it was so late. One of the stockholders gave me his blessing because I did not get it down lower."

**RAPID TRANSIT UNWELCOME.**

The Rapid Transit Co. did not pay them anything for the right of way. Within ten days after witness became treasurer he saw Manager Ballentyne and told him the directors wished them to put the track down the Waikiki road. The answer was no. They (R. T. C.) had the right of way before then. The result was they had ruined that property by building a causeway across it.

**MISUNDERSTANDING.**

Mr. Pratt asked the witness: "In making out this return didn't you come to me, as other taxpayers did, for advice as to how to make out the return and not for me to advise you about the valuation?"

"No," was the reply. "The remark was made, 'That's all right.' I think I am justified in saying that it was made up with the assessor's knowledge and consent."

"That is not advice," Mr. Pratt remarked and said he would give his version on the stand.

A. N. Campbell, sworn, said he was president of the McCully Land Co. for four months past.

"How about this \$66,000 valuation of the entire property?"

**VALUATION TOO HIGH.**

"I think it is too high because we have figured it over carefully. A number of people have figured on that land and their opinion is that we cannot realize more than \$20,000 on the salable property. The rentals are not more than \$2000. We are negotiating now for rice land leases, but cannot get more than \$15 an acre. We cannot figure on more than \$2000 rentals—not possibly more than \$4000. If it belonged to me I should be very happy to turn it over if I could get \$66,000. The income won't pay the interest now. It would never pay to fill in the land. The only thing is to well what is realizable, which might bring \$20,000 to \$25,000."

**INTEREST A BURDEN.**

Cross-examined, witness said the company's capital was \$80,000, the excess over returned valuation being the balance above the purchase price paid to Mrs. McCully-Higgins. They were

**FLAG-RAISING DAY SPORT AT KAKULUI**

Results of the races at Kahului on Wednesday, fifth anniversary of the raising of the Stars and Stripes over Hawaii, were as follows:

W. H. Cornwell's Pua Illima won the pony half mile dash. Walluku purse \$100.

Cyclone won the Puunene purse \$200, trotting and pacing to harness, best 2 in 3 heats. The winner had to run a fourth heat with Billy Leme. Best time 2:23 1-2.

Racing Murphy captured the Walluku purse \$150 for three-fourths mile dash in 1:22 1-2; also Maui merchants' purse \$150 for half mile and repeat, in 56 seconds.

Jennie E., owned by Tom Cummings, won the Lahaina purse \$150 for mile dash by Hawaiian breed; also the Kahului purse \$100 for half mile dash by same.

Derby Haley in two straight heats took the Bismarck Stables purse \$150, best 2 in 3 miles heats. Time, 2:29 1-2 and 2:27. McKinley was the only other entry.

Two or three purses were put up for Japanese events. After the races there was a baseball game, in which the All Maus defeated the Morning Stars, 13 to 12 in ten innings.

trying to figure how they could pay the interest. Tenants were dropping out gradually. The only use he could see for the land was for vegetables and rice.

He was asked about the mortgage of leaseholds to Bishop & Co. for \$40,000. Was that aside from the property bought at the commissioner's sale?

"No, sir; we bought those lease-holds."

Mr. Gilman here interjected that there was a deposit of \$35,000 for an option, he thought by Griswold.

**TRICK OF SPECULATORS.**

Mr. Campbell said he thought that value was put on the leaseholds under the option for the use that could be made of them in hampering the company against filling in the land or doing what might be wanted with the land.

Mr. Castle, taking the stand, said he was acquainted with the land all his life. Rentals in Judge McCully's time amounted only to \$2500 a year. Wells were sunk, but the scheme was a failure. Then it failed as a banana plantation. Since then a portion had been occupied for vegetables and he presumed the vegetables were good. The Rapid Transit Co. was requested by George Paris to run its track through the property. Speaking for that company he said they could not change the location when requested by Mr. Gilman.

**MOST LAMENTABLE BUSINESS.**

"I regard the whole transaction from the beginning until it came into the hands of the McCully Land Co. one of the most disastrous and lamentable land speculations that were ever undertaken," Mr. Castle said impressively.

He did not consider it worth \$66,000 today, nor on the first of January last. The Rapid Transit engineers found holes in the land where their sounding rods went down fifteen feet. To fill up to street grades would require six feet above the average rise of tide water.

**FILLING PROHIBITIVE.**

This would make the cost simply prohibitive—Mr. Gilman figured it at \$400,000. Witness did not believe it could be done for less than 40 cents a yard. A Chinaman offered to do it for 29 cents but his proposition was not accepted because he was not responsible. He regarded \$66,000 as very much in excess of the value of that land. Some of the lots were sold before this company took hold of it, but he considered nine-tenths of what was left was simply raised coral reef. He did not know what lots were selling for now.

Mr. Campbell—"We are advertising land at \$3500 an acre—that is, about two blocks depth on King street."

**THE ASSESSOR TESTIFIES.**

Mr. Pratt being sworn said Mr. Gilman, as he understood the incident, came to see him about the form of return and not as to the values that would be accepted. He could not understand what reason Mr. Gilman could have for supposing that anything said amounted to an acceptance of valuation. No such reason was given by him intentionally. He never did give acceptances until he had obtained full information. This assessment of the McCully Land Co.'s property was made with relation to surrounding property. He did have an impression that there was some other value above that \$66,000 standing against the company. He thought at the time that only the equity was included in the \$66,000 and that there were other liens on the land which the company assumed.

**COMPARATIVE VALUES.**

Property adjacent was sold to the Government at 14 cents a foot for street widening. The Judd lands accepted an assessment at \$1000 an acre although overflowed at times by the Makiki stream. Land mauka sloping down from Seaview was rated at \$8,000 an acre. John A. Cummings' property was returned at the rate of \$4000 an acre. It was true there were lands in there worth nothing and only a detriment to surrounding property.

The Queen Emma Estate property was a good deal of this condition, one-third water and two-thirds land. Emma C. Judd and others in that vicinity returned their land at \$1000 an acre.

**PROFITABLE SWAP.**

Mr. Campbell answering Mr. Wilder, said the company had made an exchange of land with the Government for widening Waikiki road. No money passed at all.

Mr. Gilman said the company got 27,000 square feet more than it deeded to the Government.

Mr. Campbell here made the remark on which Mr. Wilder's trenchant observation at the beginning of this report was the comment.

Eight or ten appeals were heard by the court yesterday.

**WRIGHT'S EXCEPTIONS**

(Continued from page 2)

of W. O. Smith, administrator of the estate of Ethel P. N. Gay, deceased, and granted the petition in the same matter for the sale of real estate. L. J. Warren appeared for the petition.

The annual account of Cecil Brown, guardian of Mary Alice Porter, a minor, was referred by Judge De Bolt to M. T. Simonton as master. It gives receipts as \$2588.86 and payments as \$1180.10, leaving a balance for the minor of \$1428.26. By the report of the guardian it appears that \$300 has been transferred from last year's balance to principal account and it is proposed now to transfer \$100 of this year's balance of income to principal.

The master's report on the accounts of George Rodick, administrator of the estate of W. H. Hing, deceased, was approved and the administrator's discharge ordered by Judge De Bolt. C. S. Dole for the administrator.

**OTHER MATTERS.**

Judge De Bolt yesterday heard the partition suit of Keahi (v. vs. Niuau Iauka et al. Robertson & Wilder appeared for plaintiff; C. W. Ashford for Niuau Iauka and W. S. Fleming for Henrietta Amoeohina. The report of Olaf Sorenson, commissioner, was confirmed and he was allowed a fee of \$60.

Judge De Bolt denied the motion to quash summons in the suit of Oahu Lumber & Building Co. vs. W. S. Edings et al., after its submission without argument by H. A. Bigelow for defendant Edings and a request for denial by J. A. Matthewman for plaintiff.

"The First National Bank of Hawaii at Honolulu," as garnishee defendant, had entered plea in abateinent, setting forth that its name was as above and not "The First National Bank of Hawaii."

**HABEAS CORPUS.**

Jung Hing, the Chinese woman, appeared before Judge Gear again yesterday morning with her two children who are the subjects of habeas corpus proceedings brought by Jue Gun for their custody. J. W. Cathcart, who appeared for the petitioner in place of A. S. Humphreys, disbarred, wanted time to examine the case. The matter was therefore continued. Judge Gear gave a warning that any attempt to remove the children from the court's jurisdiction would be regarded as contempt.

**A CASE OF CHICKEN POX**

Captain Whiting his wife and little daughter have been quarantined on Goat Island on account of Mrs. Whiting and her daughter having had the chicken pox. The Examiner speaks as follows concerning the episode: It is true that the quarantine is not very strict, nor is the disease virulent, nevertheless Chief Surgeon Fitts recommended yesterday that the house of the commandant be quarantined and that the inmates cut themselves off from personal contact with the other inhabitants of the tight little island.

Temporarily Commander Jefferson F. Moser of the training ship Pensacola, is commandant of the island, and he stated yesterday that little Miss Whiting had just recovered from an attack of chicken pox, when Mrs. Whiting took it in a mild form, and finally the doctor thought it would be best that the whole household should be placed in quarantine. The matter, he added, had not been referred to the department at all, as it was not considered serious enough to warrant mention. Lieutenant W. S. Hughes corroborated all that Commander Moser had said, and then Dr. Fitts explained that Mrs. Whiting was suffering from smallpox, but that he knew she had caught a mild attack of chicken pox from her young daughter, and that in a day or two all need of further precaution will have passed.

**NIBLACK WILL BE CAPTAIN OF YARD**

Lieutenant-Commander A. Niblack of the United States Navy arrived yesterday on the Siberia and will immediately assume command of the Honolulu Naval Station. He will take the official position of Captain of the Yard when Admiral Terry arrives. In the mean time he will act as commandant at the naval station. Admiral Terry is to sail from San Francisco today on the Alameda according to the news brought by Commander Niblack.



"you admit to having celebrated twenty-two birthday anniversaries, and I am only ten years your senior." "True," said the fair one; "but think of the difference twenty years hence; you will be fifty-two and I will be twenty-seven." And, being a wise man, he said never a word, but let it go at that.—Chicago Daily News.

(From Monday's Daily.)  
Shipping Notes.

The Korea is due from the Orient early this morning.

The Mauna Loa is due from Kona ports tomorrow morning.

The W. G. Hall arrived from Kauai ports yesterday morning.

The steamer Maui sails for Maui ports tomorrow at 5 p. m.

The steamer Ke Au Hou sails at 5 p. m. today for Kauai ports.

The Maui arrived from Maui ports yesterday. She took the Claudine's run.

The steamer Waialeale sails for Maui and Hawaii ports at 5 o'clock this afternoon.

The Kinau has been given a cleaning on the Marine Railway and will leave on her regular run tomorrow at noon.

The A.-H. S. S. Nevadan is due from San Francisco tomorrow afternoon. She will bring three days later mail and files.

The schooner Julia E. Whalen sails for Hilo direct tomorrow at 5 p. m. in place of the schooner Charles L. Woodbury which is laid up for repairs.

The Celtic will sail for Bremerton sometime tomorrow. As she expects to make a very slow trip mail for Bremerton and the Northern cities will probably be sent by the Korea.

There are a number of coal ships about due at this port from Newcastle. Among the vessels out over forty days are the American ship Driego 53 days, British bark Brunel and the German ship Lita, each out 50 days, and the British ship Brodrick Castle now out 44 days.

(From Tuesday's Daily.)

The Lehua sailed for Molokai ports yesterday afternoon at 5 p. m.

The Korea sails for San Francisco at 12 o'clock this morning.

The steamer Waialeale sailed for Maui ports yesterday afternoon with freight and combustibles.

The S. S. Nevadan is due from the Coast late this afternoon or this evening with three days' mail.

It is expected that the transport Celtic will get away for Bremerton some time today.

The Ke Au Hou sailed for Kauai ports yesterday at 5 p. m.

#### DEPARTED.

Friday, August 14.

Stmr. J. A. Cummings, Bennett, for Koolau ports, at 10:30 a. m.

Schr. Ka Moi, Hipa, for Kohala, at 10 a. m.

P. M. S. Siberia, Smith, for the Orient, at 10 p. m.

#### Saturday, August 15.

Stmr. W. G. Hall, Thompson, from Kauai ports at 4:15 a. m. with 1890 bags sugar, 80 bags pla, 28 bds. hides, 3 horses, 4 pigs, pkg. sundries.

#### DEPARTED.

Friday, August 14.

Stmr. J. A. Cummings, Bennett, for Koolau ports, at 10:30 a. m.

Schr. Ka Moi, Hipa, for Kohala, at 10 a. m.

P. M. S. Siberia, Smith, for the Orient, at 10 p. m.

#### Sunday, August 16.

Stmr. W. G. Hall, Thompson, from Kauai ports at 4:15 a. m. with 1890 bags sugar, 80 bags pla, 28 bds. hides, 3 horses, 4 pigs, pkg. sundries.

#### DEPARTED.

#### PASSENGERS.

#### Arrived.

From Maui ports, per stmr. Maui, Aug. 14.—Mary Jacinto and 2 children, Miss Helen Klawlaea, Father Maximin, Chang Chow, Jno. Brown, Chas. David, J. Clarke, A. N. Kepokalai, D. H. Davis and wife, G. Schumman, A. Luch, J. Vincent.

From San Francisco, per S. S. Siberia, Aug. 14.—Miss M. C. Alexander, F. M. Brooks, W. H. Breeding, F. M. Bechtel, Dr. D. W. Collins, Mrs. J. C. Cassidy and 5 children, Mrs. C. B. Cooper, Miss A. Crozier, Miss A. Crozier, Mrs. E. S. Cunha, Mrs. M. J. Carroll, J. J. Coke, E. L. Collins, Miss E. Cartwright, Mrs. W. L. Frazee, Miss B. Forrest, W. Frick, M. C. Greenberg, H. H. Garstin, Mrs. H. H. Garstin and son, Mrs. M. C. Greenberg, A. Haneberg, Mrs. A. Haneberg, Rev. W. A. Henderson, Mrs. W. A. Henderson and child, Mrs. T. A. Kelley, P. G. W. Kirkaldy, Lt. Comdr. A. P. Niblack, Miss J. A. Moore, J. W. Mason, Mrs. F. G. Prescott, R. P. Rithet, E. L. Smith, W. W. Thayer, Mrs. Thayer, F. W. Thrushton, Gus Teubner, Miss M. A. Thron, Mrs. J. T. Wayson and child, Mrs. E. L. White, Dr. W. J. Waller, W. H. Yardney.

Per stmr. Ke Au Hou, August 15, from Kauai ports—John P. Mendosa, Miss Koelling, Miss Canton, Mrs. Canton, Mrs. Bertleman and 13 deck.

Per stmr. Noeau, August 15, from Kukuhale—Miss McCarthy and 6 on deck.

Per stmr. Claudine, August 15, from Hilo and way ports—George W. Cleveland and wife, Seeley I. Shaw, C. W. Hudson, Prof. Rebec, Dr. A. C. Wall, C. C. Kennedy, W. H. Lambet, Miss E. Green, John Watt, E. J. Walker, Bro. Eugene, Bro. Charles, R. M. Overend, Father Oliver, George Stratemeyer, G. A. Davies, Miss R. Wooley, Mrs. W. Kekuku, Mrs. F. M. Wakefield, Rev. J. B. Hanakai Ching Lai, D. B. Kuhns, J. Y. Frie, M. M. Frie, Mrs. H. T. Walker, L. M. Deacon, W. H. Hoogs and 4 sons, F. M. Swanz, Barr W. Musser, R. W. Shingle, Miss Annabelle Low, Miss G. D. Fresh, Dr. J. H. Raymond, A. W. Carter, D. H. Case, Chin Shai, Yee Chin Yuen Chong, Mrs. Wahninai, Mrs. Kamana, S. K. Kellinol, John D. Holt, Yee Sheong, Dr. Kobayashi, W. Berlowitz.

(From Monday's Daily.)

Stmr. Lehua, Naopala, from Molokai ports at 8 a. m.

Steamer Maui Bennett, from Maui ports, at 1:15 a. m.

Per stmr. W. G. Hall, from Kauai ports, Aug. 16—A. T. R. Jackson, F. J. Cross, Mrs. F. J. Cross, Mrs. J. Noble, S. Lesser, J. Sujuki, F. Hetduska, A. Bombe, Mrs. A. T. R. Jackson, Miss E. Fairchild, Geo. Fairchild, M. Fernandez, Choy Yuen, S. Kukumoto, Ng. Wq. Hee Fat, A. D. Hille, W. A. Church, L. B. Yuen, Nam Fine, Miss S. Schilling, Mrs. H. Meyer and 2 children, F. Bauman, F. H. Jordan, Mrs. J. McDonald.

#### Departed.

The confidence of science. How is that young man who was subsisting on a borax diet? "In fine condition" answered the man who was conducting the food experiments, "the only danger is that he will spoil his digestion with ice-water and milk before his vacation is over, and he gets back to chemicals." —Washington Star.

Feminine figures "No" said the woman in the case "I can not marry the disparity in our ages is an insurmountable barrier." "But" answered the man who would a hubby be,

# MAUI DRINK CORPORATION

## Stockholders Are of Variety of Callings.

From the list of stockholders in the Maui Wine and Liquor Company, Ltd., it would appear that the island giving its name to the corporation was adopting home rule in the drink business. There are merchants, members of the legal and medical professions, skilled workers of sugar plantations and mills, ranchmen, all among the subscribers to the stock. There are forty-six of them.

The articles of incorporation were executed by Carl Waldeyer, G. B. Robertson, W. G. Scott and D. L. Meyer of Walluku and J. C. Hansen of Puunene. The capital stock is \$15,000 in shares of \$100 par value each, with the privilege reserved of an increase to \$50,000. More than seventy-five per cent of the stock is subscribed, and more than ten per cent paid in.

Officers for the first year are these: W. T. Robinson, president; Geo. B. Schrader, vice-president; J. Gardola, secretary; H. Staubeck, treasurer.

#### NEW MARKET CORPORATION.

With articles of association embracing all kinds of mercantile and financial business, besides not a few lines of manufacture, Wong Leong, C. K. Al, Ho Fon, C. M. Tai and Lau Tang propose to incorporate the City Market, Ltd., with place of business in Honolulu. Their proposed capital is \$10,000 in shares of \$50 par value each, with the privileges of increasing it to \$50,000. Of the stock 152 shares are subscribed, and ten per cent paid in.

The charter members named above are the directors, while these are the officers: Wong Leong, president; Ho Fon, vice-president; Lau Tang, secretary; C. K. Ai, treasurer; L. T. Chin, auditor.

It is proposed to build a market, to sell goods by wholesale or retail; to erect an ice-making plant, and sell, purchase or deal in ice; to own and operate cold storage; to purchase, erect, install and operate a plant of any kind for the production of electricity, and to purchase or sell electricity for light or power; to carry on any other business calculated to enhance the value of, or render profitable, any of the company's business rights or property; to deal in real estate, buy and sell shares in other companies, and lend or advance money, etc.

C. K. Ai sells to the corporation, for twenty paid-up shares of the company's stock, an option he purchased from A. F. Cooke for the leasing and sub-leasing of property and leaseholds in Kekaulike street for twenty years or so long as the grantor's lease runs less than that time. The premises are 153 feet frontage by 107 feet deep. The lease is to begin not later than Sept. 1, 1903, and the rental is to be \$70 a month for the first ten years and \$150 a month for the second ten years or portion thereof, payable quarterly in advance. The usual conditions as to taxes are to be contained in the leases, only ground tax to be paid when the value is less than \$20,000 for the whole premises.

If a business block be erected it is to be of brick, stone or concrete, but if only a fish market it may be of concrete and iron with wooden frame and rafters—in either case, the structure to be approved by the authorities.

#### THE ENGINEERING ASSOCIATION

The twenty-first regular meeting of the Engineering Association was held in Castle and Cooke's hall last evening at which about thirty-five members were present.

Mr. E. Kopke read a paper on "Evaporation" which is the third in a series of papers on the process of manufacturing sugar. The reading of the paper was followed by questioning and an interesting discussion in which some fifteen of the members took part.

A committee consisting of F. W. Beardslee, G. P. Dennison, W. G. Hall, and B. J. Pratt was appointed to arrange for some kind of an entertainment at the annual meeting of the Association which will be held next month. Last year the members held a banquet, but it has not yet been decided what form this year's celebration will take.

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## MR. IAUEKA ON ISSUES OF REPUBLICAN PARTY LOYALTY

Editor Advertiser I haven't any means of knowing who your Kohala correspondent is. He may be a subject of the King of the Hottentots for all I know. If so, all that need be said is that, a foreigner has no place in the politics of this country. There was a time when he did have and in a dual capacity exercised considerable influence in the political affairs of Hawaii. But all that is past now and the aborigine is an American citizen. Thank God!

I do like a man to come out in the open when attacking a political opponent. My Kohala critic evidently has not the courage to. His interesting essay Mr. Editor, on the qualifications of the aborigine for self government may be all right from your point of view. Perhaps some "deductions" might be taken from the following "typical cases" of how Republicanism is practiced in Hawaii.

The last Legislature was Republican one. How came it that a Home Ruler was elected to the speakership of the House?" A short horse is soon curried. The choice was made because Republicans preferred a Home Ruler who was honest enough to call himself one to a Home Ruler who was dishonest enough to call himself a Republican.

It is useless to say that the House was Republican when it was such in name only. The Solid Thirteen took their orders from Home Rule headquarters did Home Rule politics and illustrated the moral turpitude which has come to be associated with Home Rule law-making.

Had the Legislature been like those under the Provisional Government and Republic it would have had a right to call itself Republican and would have "no spots and stains in its skirts" which mortal hands cannot erase"—a prevailing fashion in Home Rule con-

stituted the minority in the last legislature?

Did not the Republican party declare for county, city and town organizations, and if so, why were not these pledges fulfilled?

Is it not a fact that Asiatic labor is being employed on Territorial government works and has been for the past two or three years? Is this in accordance with the party declarations on the employment of non-citizen labor?

Is the native party responsible in a Republican legislature for the increased appropriations in excess of the estimated revenue, by over a million dollars?

Now if the "man from Kohala" who knows can give satisfactory answers to the foregoing "typical cases" of legislative achievements, it might be the means of making some of my Hawaiian Republican friends, now under suspicion, "genuine Republicans."

C. P. IAUEKA.

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C. P. IAUEKA.

#### BY AUTHORITY.

Secretary's Office.  
Those desiring copies of the County Act to be sent them by mail can secure the same upon forwarding postage 5c. for English and 4c. for Hawaiian, per copy.

G. R. CARTER,  
Secretary of the Territory.  
Capitol, Honolulu, August 18th, 1903.  
2513

#### PUBLIC LANDS NOTICE

On Saturday, September 19th, 1903, at 12 o'clock noon at the front entrance of the Judiciary Building, Honolulu, will be sold the lease of the following lands, vis:

Kawaihui situate in Onomea, Hilo, Hawaii; 162 acres of Agricultural.

Term: five years.

Upset rental, \$480.00 per annum;

Kawaihui Forest land, situate as aforesaid; 322 acres Forest land.

Term: 21 years, under forest conditions.

Upset rental, \$50.00 per annum.

For further particulars as to conditions of lease, plan, etc., apply to Public Lands Office.

E. S. BOYD,  
Commissioner of Public Lands.  
Public Land Office, August 12th, 1903.  
6558.

#### TERRITORY OF HAWAII.

Treasurer's office, Honolulu, Oahu.

In re Dissolution of the Wolters Waldron Company, Limited.

Whereas, the Wolters Waldron Company, Limited, a corporation established and existing under and by virtue of the laws of the Territory of Hawaii, has pursuant to law in such cases made and provided, duly filed in this office, a petition for the dissolution of the said corporation, together with a certificate thereto annexed as required by